

100 / AEE-172

20 JULY, 2000

28564 COLE PLACE

HAYWARD, CA., 94544

TO: JAMES D. FRIKSON, DIRECTOR  
F.A.A.

800 INDEPENDENCE AVE., S.W.

WASHINGTON, D.C., 20591

22A

FROM: WILLIAM W. WELLER, DIRECTOR  
FAIRWAY PARK NEIGHBORHOODS ASSOC.

SUBJECT: ANS. TO QUESTIONNAIRE —

1. "WHAT TYPES..." NONE

2. "TRAFFIC CONTROLS..." NONE NEEDED.

3. "IMPACTS..."

a. WE SEE & HEAR THESE ASSISTING LOCAL  
POLICE TRACKING CULPRITS — GLAD TO SEE.

b. "NEWS" — ALMOST NEVER.

c. "SIGHTSEEING..." NONE — NOT IN THIS AREA.

d. "FI, MED. SERVICES..." VERY RARE — NECESSARY-O.

e. "CORPORATE..." NONE IN THIS AREA.

NO PROBLEMS —

Sincerely,

William W. Weller

## Report to Congress on Nonmilitary Helicopter Noise in Densely Populated Areas

JUNE 26, 2000

The FAA reauthorization bill passed earlier this year requires the Federal Aviation Administration to report to the Congress on the effects of nonmilitary helicopter noise in densely populated areas in the U.S. and ways of reducing that noise.

According to the FAA, the major goal of the study is to identify the types of helicopter operations that elicit complaints from individuals, and air traffic control procedures that address those problems. The FAA is asking for public comment on these and other issues. Comments must be submitted to the FAA by July 24. The complete text of the FAA notice is given below, as published in the Federal Register.

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### DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 30086]

Report to Congress on Effects of Nonmilitary Helicopter Noise on Individuals in Densely Populated Areas in the Continental United States

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice, request for comments.

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**SUMMARY:** This notice requests comments and information to help fulfill a requirement for the Federal Aviation Administration (FAA) to conduct a study in identifying recommendations for reduction of the effects of nonmilitary helicopter noise that otherwise impacts individuals of densely populated areas in the continental United States. This notice solicits information and comment on specific issues; the FAA will consider all responses in preparing its report to Congress on effects of nonmilitary helicopter noise on individuals in densely populated areas.

**DATES:** Comments must be received on or before July 24, 2000.

**ADDRESSES:** Comments on this notice should be mailed, in triplicate to the Federal Aviation Administration, Office of Chief Counsel, Attn: Rules Docket, Docket No. 30086, 800 Independence Avenue, SW., Room 915H, Washington, DC 20591. Comments may be inspected in Room 915G between 8:30 a.m. and 5:00 p.m., weekdays, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Sandy R. Liu, Noise Division (AEE- 100), Office of Environment and Energy, Federal Aviation Administration, 800 Independence Ave, SW., Washington, DC 20591; telephone (202) 493-4864; fax (202) 267-5594.

### SUPPLEMENTARY INFORMATION:

#### Background

Section 747 of the Federal Aviation Administration Authorization Act of 2000 requires the FAA to conduct a noise study on the effects of nonmilitary helicopter noise on individuals in densely populated areas in the continental

United States and report associated noise reduction recommendations to Congress. This study shall focus on air traffic control procedures to address the helicopter noise problems and take into account the needs of law enforcement. The major goal of the study is to identify the type of helicopter operations (either law enforcement, electronic news gathering (ENG), sightseeing tour, emergency medical services (EMS), or corporate executive commute) that elicit negative response by individuals for typical densely populated areas and understand whether air traffic control procedures are applicable to addressing helicopter noise reduction in ways which are not unduly restrictive on operations.

The FAA has developed a plan for conducting the required study and completing the report to Congress. The plan's primary elements include:

(1) a nonmilitary helicopter operations assessment for a densely populated area (i.e., New York City), (2) a public call for information from people concerned with nonmilitary helicopter noise, (3) a call for input from the helicopter industry, (4) a publicly held focus workshop to review inputs and findings with interest groups, and (5) helicopter noise impact analysis. Recommendations shall be prepared and provided in the report to Congress.

Participation of Federal agencies is encouraged through the Federal Interagency Committee on Aviation (FICAN).

#### Request for Information

In supplementing the study findings, the FAA is seeking comment and information regarding the following four questions. A discussion of each will be incorporated into the FAA report to Congress. Additional comments regarding any of the issues raised by Congress under Section 747 of the Authorization Act are also invited. The FAA will review and consider all responses in preparing its report to Congress.

1. What are the types of helicopter operations (law enforcement, electronic news gathering, sightseeing tours, etc.) that elicit the negative response by individuals in densely populated areas?
2. What air traffic control procedures are applicable in addressing helicopter noise reduction? Why?
3. What impacts could restrictive air traffic control procedures have on operations of:

Law enforcement helicopters?  
Electronic news gathering (ENG) helicopters?  
Sightseeing tour helicopters?  
Emergency medical services (EMS) helicopters?  
Corporate executive helicopters?

4. What are the recommended solutions for reduction of the effects of nonmilitary helicopter noise?

The FAA encourages public participation in this initiative. The data received will be considered in preparing the report to Congress. Comments responding to these questions should be mailed to the office designated in the ADDRESSES heading and include the docket number. Commenters who wish the FAA to acknowledge the receipt of their comments must submit with their comments a pre-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 30086." The postcard will be date-stamped by the FAA and returned to the commenter.

Issued in Washington DC on June 16, 2000.  
James D. Erickson,  
Director of Environment and Energy.  
[FR Doc. 00-15951 Filed 6-22-00; 8:45 am]  
BILLING CODE 4910-13-M

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET

2000 JUL 28 P 3:31

July 20, 2000

Federal Aviation Administration  
Office of Chief Counsel  
Attn: Rules Docket, Docket No. 30086  
300 Independence Avenue, SW  
Room 915H  
Washington, DC 20591

23

Re: Effects of Nonmilitary Helicopter Noise on Individuals in Densely  
Populated Areas in the Continental United States

Sir/Ms:

Please accept my comments regarding the above referenced matter.

My name is Camille Carr and I believe I have something to say about nonmilitary helicopter noise.

On and off over the past five years, I've lived on Dickens Street in Sherman Oaks, California. In April, 1999, I purchased a condo on Dickens Street approximately 3.6 miles southeast from the Van Nuys Airport. It's a pretty small place, just under 900 square feet, but I really enjoy the neighborhood; I feel really safe here, and I really like the location. Unfortunately, I had to borrow retirement monies from my 403(b) for the down payment. I paid \$130,000 for the condo, a terribly high price for such a small place. I want you to know that as much as I love my little cubby hole, I would not have purchased it if I knew departures at Van Nuys Airport were going up 1000%.

My condo is located about 1 mile south of the 101 freeway and about 400 feet east of the 405 freeway. Due to the proximity of the freeways, it has become a stomping ground for the news helicopters.

At 5:30 a.m. this morning, I awoke to the very intrusive sound of helicopters circulating overhead. Mind you, these are news helicopters reporting traffic and road conditions, not police helicopters. Also mind you, according to a representative of the FAA Steering Committee, which met Wednesday, July 12<sup>th</sup> at Van Nuys Airport, these helicopters are restricted to fly directly over the freeway at certain elevation. I assure you, they don't. They fly directly adjacent to the freeway, over resident's homes, at a lower elevation to get a better view of the freeway.

On Tuesday, July 18<sup>th</sup> a barrage of helicopters flew overhead filming the freeway chase through the San Valley. I kid you not it sounded like something from "Apocalypse Now."

A few months ago, at 4:40 a.m. a helicopter hovered over our neighborhood (again, this was a news helicopter.) After a half hour, I telephoned Los Angeles Police Department, Van Nuys Division and spoke to Officer Helen Nunez. I tried to file a disturbance of the peace complaint. Officer Nunez informed me it was not under the jurisdiction of LAPD and told me to call the FAA and the television station shown on the helicopter's belly. I was not able to see the station's name on the helicopter. I turned on the television and flipped around the various stations where I did not see a live remote – it was important enough to put the copter in the air, but not to televise. I had no recourse.

These are just a few examples of the disruption from helicopter noise. There is a serious conflict between the community and the helicopter noise, especially for the homeowners who live near the freeway. Apparently, there are regulations for the helicopters to abide by, but from what I've seen, there's no enforcement of these regulations, nor is there any recourse for the homeowners. In turn, these helicopters have free reign.

In addition to the helicopter noise, you may want to investigate class 2 jet noise. Since summer 1999, class 2 jets departing from Van Nuys airport has increased 100-fold. This is incredibly disturbing. I don't know where the FAA gets its information from or how the studies are compiled but I have begun recording the noise so the FAA can hear what the members of the community have to live with. I will bring these noise tapes to the next FAA Steering Committee meeting as part of my own research. It seems to me there should be a greater effort made by the FAA in controlling outlandish levels of all airport noise. I am dismayed at the lack of information available to homeowners regarding the noise level studies. As of today, I have never received information from the FAA regarding noise level hearings – all the information I've received has been from my neighbor. It also seems to me, if the FAA really wanted to know how the community felt about the noise, it would send questionnaires to homeowners (the County Assessors Office has our names and addresses.) Finally, it seems the studies on airport noise is conducted only in Van Nuys, not in the communities adjacent to the landing and takeoff strips of the airport, i.e. Sherman Oaks, Encino, North Hills, Granada Hills.

In a time where communities and airports need to find a compromise, the rules are established and enforced by those who have the money to own the planes exclusive of the people who live in the surrounding areas.

Thank you for allowing me the opportunity to express my frustration at the current situation. I do hope definitive action will be taken on behalf of the community.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Camille Carr', written in dark ink.

Camille Carr

15234 1/4 Dickens Street

Sherman Oaks, California 91403



OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET

2000 JUL 27 P 4: 45

July 20, 2000

Federal Aviation Administration  
Office of Chief Counsel  
Attn: Rules Docket  
Docket No. 30086  
800 Independence Avenue SW  
Room 915H  
Washington, D.C. 20591

24

REF: Docket No. 30086: Comments of Eastern Region Helicopter Council in Response to Notice and Request for Comments Concerning "Report to Congress on Effects of Nonmilitary Helicopter Noise on Individuals in Densely Populated Areas in the Continental United States," Federal Register Vol. 65, No. 122, Page 39220 - June 23, 2000.

Dear Madam Administrator,

I am submitting the comments contained herein on behalf of the Eastern Region Helicopter Council, as they relate to the above referenced study entitled, ***"REPORT TO CONGRESS ON EFFECTS OF NONMILITARY HELICOPTER NOISE ON INDIVIDUALS IN DENSELY POPULATED AREAS IN THE CONTINENTAL UNITED STATES"***.

The Eastern Region Helicopter Council appreciates the opportunity to comment on this vital study. ERHC, an HAI affiliate organization, is the professional trade association for the helicopter industry in the New York City Tri-State area and adjacent Northeast Corridor. Our membership is comprised of helicopter and heliport operators, manufacturers and individuals. Their collective activities support operations to include corporate, commercial, courier, electronic news gathering, sightseeing, law enforcement and emergency medical services, to name a few.

As you are aware, Section 747, of the Wendell H. Ford Aviation Investment and Reform Act for the 21<sup>st</sup> Century, signed by President Clinton on April 5, 2000, directed the Secretary of Transportation to conduct a study on the effects of nonmilitary helicopter noise on individuals in densely populated areas in the continental United States. It also directed that recommendations be developed for the reduction of the effects of nonmilitary helicopter noise with a focus on air traffic control procedures while taking into account the needs of law enforcement. The views of the helicopter industry and organizations with an interest in reducing nonmilitary helicopter noise are to be considered.

In it's request the FAA posed four (4) questions for consideration. These questions, with our responses and additional information follow.

1. **WHAT ARE THE TYPES OF HELICOPTER OPERATIONS (LAW ENFORCEMENT, ELECTRONIC NEWS GATHERING, SIGHTSEEING TOURS, ETC.) THAT ELICIT THE NEGATIVE RESPONSE BY INDIVIDUALS IN DENSELY POPULATED AREAS ?**

Before you can address this question you must understand the actual magnitude of the problem. It has been our experience over the past 25 years that the vast majority of the population in urban areas do not categorize helicopter operations as a problem. They have come to expect such activity as part of the economic fiber of any vibrant and active city center environment. In our particular operating area, it is hard to imagine world class business centers such as New York, Boston, Philadelphia and Washington without helicopters supporting such activities as emergency services, law enforcement, business activities, tourism, and news gathering. Unfortunately as with many such issues, the small minority of the community that opposes helicopter operations under any circumstances, tends to receive a disproportionate amount of publicity and subsequent legislative attention.

This is not to say that legitimate concerns do not exist. ERHC does acknowledge that certain helicopter operations and operating environments, tend to draw the attention of certain members of the community. We have and will continue to work with community members, who have expressed legitimate and reasonable concerns regarding our impact on their day to day activities. Such concerns can develop from varying circumstances, such as new urban development below existing helicopter routes, lack of awareness of noise sensitive areas and fly neighborly procedures by transiting operators and military aircraft, air traffic control procedures, and the operational requirements of the particular mission, such as law enforcement or EMS.

It has been our experience that such issues can be resolved when addressed in a coordinated manner by the industry, community and controlling agency. Through our community outreach and Fly Neighborly programs, we have worked with the community to mitigate our impact, and in some instances eliminate it.

Through our Helicopter Hotline and community outreach programs it is our experience that community complaints relate to operations that involve extended hovering, off hours operations between midnight and 6 AM, and repetitive overflights which are normally associated with established helicopter routes. Experience has also shown us that identification of the actual aircraft involved, or type of operator is difficult at best. On many occasions, those filing the complaint tend to assign the problem to a given segment of the industry with statements such as "it was a police helicopter" or "it was a helicopter tour", even though they did not actually see the aircraft or it's operation, but just heard a helicopter. Of equal importance as the perceived number of complaints is the number of those making the complaints. It has been our experience that repetitive complaints are made by the same individuals and account for a large number of the total.

We have been able to refine this information to some extent through extensive field work and onsite visits to personally access the issues. We have found that by their specific mission requirements, off hours operations tend to involve law enforcement and EMS operators, extended hovering operations are normally associated with law enforcement, aerial photography and electronic news gathering, while repetitive overflights are associated with established, recommended FAA or industry helicopter routes.

Historically in most circumstances, we have been able to identify the actual problem and make corrective changes to the satisfaction of the community.

In summary regarding this question, we agree it is an important one and is an integral part of a study such as this. However, equally important is the identification of the scope of the actual perceived problem. To this end we would recommend that the FAA include a study of the overall community attitude towards helicopter operations in a major metropolitan area such as New York City.

2. **WHAT AIR TRAFFIC CONTROL PROCEDURES ARE APPLICABLE IN ADDRESSING HELICOPTER NOISE REDUCTION, AND WHY ?**

As a preface to these comments ERHC would like to acknowledge that we are fortunate to have active FAA participation, at all levels, in our programs to enhance safety, community relations and Fly Neighborly initiatives.

The applicable air traffic control procedures that are applicable in the urban operating area normally relate to designated routes, constraints on altitude assignments due to multiple layers of airspace structure, IFR operating environment and general ATC operating parameters.

As with most major metropolitan areas, ERHC, in conjunction with the FAA and communities, has developed preferred helicopter routes for VFR operations. Such routes are associated with the need to transit the area enroute, ingress and egress to and from the various heliports and airports in the area, and to conduct specific types of missions such as sightseeing. These routes have been mutually beneficial to the parties concerned in terms of providing a safe operating environment while mitigating or eliminating the impact on the communities involved. In order to maintain their effectiveness it is essential that this route structure be constantly monitored for changes in the operating environment that could negatively effect either safety or the community.



Such circumstances have occurred within our operating environment. The first related to the area beneath a long established FAA designated helicopter route that had developed dramatically over the past 15 years creating a much more noise sensitive area than existed when the route was originally established almost 20 years ago. Predicated on inquiries from citizens to our ERHC Helicopter Hotline, we made on site visits, determined a valid problem had developed, and set out to find alternatives. In coordination with the FAA Eastern Region office, local legislative leaders and community groups, ERHC developed a new overwater route to replace the overland route in question. Although this new route involved more flight time, and eliminated the original direct line route, ERHC and it's membership instituted a voluntary trial period which proved successful. Subsequently ERHC lobbied the FAA to eliminate the original route and replace it with our proposed route, which was accomplished with the issuance of a revised New York Helicopter Route Chart.

Similarly ERHC responded to community request with regard to sightseeing routes which had been in operation for almost 20 years, in conjunction with FAA ATC letters of Agreement. After evaluation and coordination with operators, communities, legislative leaders and the FAA, ERHC negotiated new sightseeing routes which eliminated previous overland sightseeing operations and created a new route structure over waterways.

We have found the development and monitoring of preferred helicopter routes in urban areas through the coordinated efforts of the industry, community and FAA have proven mutually beneficial. There subsequent publication in the applicable Helicopter Route Charts has assisted local and transient operators, as well as ATC and the communities in their pursuit of mutual goals.

It has been, and will continue to be our desire to operate at the highest altitude feasible within the constraints of our actual missions. As an indication of this effort we have been promoting a phase of our Fly Neighborly program called "Fly 2000 in 2000". Simply put we are urging our membership to operate at 2,000 feet and above, unless the requirements of ATC or the mission mandates otherwise. Although mission requirements in many instances allow this, ATC requirements do not due to the complexity of the overlying airspace levels associated with a multi-airport environment and enroute structure such as New York City and the adjacent Northeast corridor terminals.

Any ability for ATC to accommodate higher altitude requests from helicopter operators within urban operating areas would dramatically increase the effectiveness of Fly Neighborly initiatives and decrease the noise impact on the underlying communities.

Along these same lines, a greater flexibility for ATC to assign higher altitudes than requested when the lower altitude is not mission related would be of great benefit towards reducing the impact of helicopter noise. Specifically stated, if a helicopter that desires only to transit an area requests an altitude lower than the recommended noise abatement altitude, ATC should advise the pilot, who might not be aware of the community issues, that a higher altitude will be assigned than requested for noise abatement unless mission requirements mandate otherwise. Heretofore ATC in an effort to accommodate, coupled with reluctance to question the pilots request has not taken this initiative. We recommend that this type of interface be developed through a joint industry, FAA training program.

With regard to IFR operations in our operating area, we have found ATC to be helpful and accommodating within the current allowable parameters of the system. However further development of a more user friendly environment for Helicopter IFR relating to ingress and egress within the metropolitan heliport systems would have a positive effect on reducing helicopter noise. Easier access to the system, with approach and departure capability to and from the actual heliport facilities should be promoted and developed. This would eliminate the current lower level VFR transitions between the current heliports and IFR system access points, which in some instances are outside the immediate city center area. Additionally it would foster higher usage of the IFR system for more flights by those operators who currently opt for lower level VFR operations rather than face the delays and uncertainties of the current IFR environment.

3. **WHAT IMPACTS COULD RESTRICTIVE AIR TRAFFIC CONTROL PROCEDURES HAVE ON OPERATIONS OF:**

- a. **LAW ENFORCEMENT HELICOPTERS**
- b. **ELECTRONIC NEWS GATHERING (ENG) HELICOPTERS**
- c. **SIGHTSEEING TOUR HELICOPTERS**
- d. **EMERGENCY MEDICAL SERVICES (EMS) HELICOPTERS**
- e. **CORPORATE EXECUTIVE HELICOPTERS**

The simple answer to this question is inclusive of having no effect, to eliminating certain segments of the industry, depending on their mission requirements and the parameters of the proposed restrictions. This statement is not meant to minimize the question but in fact to highlight the seriousness, and ineffectiveness of such action. Predicated upon the very nature of the helicopter operating environment, their operating flexibility, and multitude of missions, it is not practical to assume there are one or two ATC restrictions that will solve all problems, or any of them for that matter.

Predicated on their previous statements and writings, it appears that opponents of helicopter operations do not wish to deprive themselves and their loved ones of the vital services provided by Emergency Medical Services and Law Enforcement helicopters and generally seek no restrictions on such activities. Predicated on this, it is reasonable to assume that any restrictive ATC procedures would not have any effect on these segments of the industry. When it comes to the other segments of the industry that they feel are of no benefit to them personally, such as ENG, tours and corporate as noted above, they propose denial to the airspace structure. Obviously such action would eliminate these segments of the industry.

As noted in the previous response to #2, for the most part the ATC procedures necessary to address the impact of helicopter noise in urban areas are already available, and work when applied properly. The real issue is to develop an ongoing program which provides for active interface between the industry, community and FAA so as to achieve the common goal of a safe, socially responsible helicopter operating environment. We believe we have done that with dramatic results that have benefited the community and our industry.

4. **WHAT ARE THE RECOMMENDED SOLUTIONS FOR REDUCTION OF THE EFFECTS ON NONMILITARY HELICOPTER NOISE ?**

The following summary of recommendations are presented for your review to assist you in your efforts.

- A. As a point of curiosity we wonder if a parallel study is being conducted regarding the effects of military helicopter noise on urban areas. The reason for the inquiry is that on many occasions over the years we have received complaints regarding helicopter noise, which were attributed to civilian operations, when in fact it involved military activity. The nature of these military flights was normally routine transit of the area, with no mission related need to operate at low altitudes or over noise sensitive areas. Our first recommendation would be to include an aggressive Fly Neighborly program in the training syllabus for all branches of the military, both active and reserve. Additionally each military aviation unit, should participate and be active in the programs of their civilian counterparts such ERHC, so as to make themselves aware of the current noise abatement procedures and Fly Neighborly initiatives in their operating area.

- B. ERHC would like to have the opportunity to provide a full briefing of our Heliport and Airspace Protection Program (HAPP), to the study team, and any other appropriate groups. HAPP is the cornerstone of our community outreach program, and was so named to impart the serious necessity of Fly Neighborly to our membership by interrelating the fact that if we as an industry wish to protect our heliports and access to airspace we have a responsibility to operate in a socially responsible manner.**

**Our program has been favorably acknowledged by various community groups, Legislative leaders, FAA staff, industry, press, as well as written recognition in New York City Heliport planning studies.**

**We have achieved very favorable results for the communities with the programs initiatives which include:**

- 1) Helicopter Information and Complaint Hotline to facilitate response to helicopter related concerns and issues from the public, legislators, regulatory agencies and industry. Other entities, to include community groups, FAA, NYC administration, legislators, and local governments, have referred helicopter related inquiries to our Hotline so we can resolve the matter directly with the concerned party.**
- 2) On site field visits to assess helicopter issues in the operating environment.**
- 3) Presentations, response to questions and solicitation of comments at community meetings, civic groups, and industry gatherings.**
- 4) Participation in related committees, study groups, task forces, civic organizations, and technical advisory endeavors.**
- 5) Safety and education programs for the industry and community.**
- 6) Fly neighborly initiatives**

- C. A study should be undertaken to ascertain the perception of the general public as a whole, regarding helicopter operations in urban areas.**

- D. Preferred VFR helicopter routes should be developed in urban areas and published within the context of Helicopter Route charts applicable to the specific area. These routes should be established through a working group comprised of industry, community representatives and FAA. They should also be monitored and revised as necessary.**

- E. When possible, ATC should facilitate request for higher altitudes by helicopters, and amend airspace structure where feasible to facilitate such operations.**
- F. ATC should assign altitudes and routing with consideration for noise abatement unless the pilot's mission requirements dictate otherwise.**
- G. Helicopter access to the IFR system should be improved, with IFR ingress and egress to heliports enhanced, so as to eliminate VFR transitional flights, and minimize use of optional VFR routes.**
- H. In place of contemplated restrictive ATC procedures, the current ATC procedures, along with the recommendations noted herein should be applied to problematic areas on a case by case basis, in conjunction with a program such as the ERHC HAPP effort. We believe that after careful analysis by working groups comprised of concerned parties, a mutually satisfactory situation will be achieved.**
- I. FAA, NASA and manufacturers should jointly fund and participate in an aggressive research and development program to produce quiet technology advancements that can be introduced onto to the current fleet and new production aircraft.**

**In closing we would like to thank you for this opportunity to submit our thoughts regarding this important effort. The helicopter industry has been serving the needs of New York City and it's residents for over 50 years, in a safe, economically beneficial, community oriented manner. We have provided a forum for concerned parties and our members to address issues of mutual interest and responded in a positive manner when made aware of community concerns. Through these efforts we have achieved positive results for both the community and our members. It is our sincere belief that this type of approach and effort is what will actually reduce the effects of helicopter noise in urban areas, and elsewhere for that matter. The desired result will not be achieved by a new restrictive regulation or other operational constraints. A long term positive result will take a constant effort on behalf of the industry, FAA, and communities, working together to solve the problems to the benefit of everyone.**

**The Eastern Region Helicopter Council and it's members stand ready to assist the FAA in their effort to achieve the goals expressed by Congress as they relate to this study.**

**Sincerely,**



**Matthew S. Zuccaro  
Special Advisor – Board of Directors**

Thomas N. Jones  
14019 Bonjour Lane  
Chester, VA 23836

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OFFICE OF THE  
VIRGINIA ATTORNEY GENERAL  
2000 JUL 27 P 1:58

July 5, 2000

Docket No. 30086 Nonmilitary Helicopter Noise

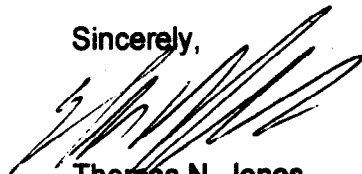
**Comment:** As an inspector for the Federal Aviation Administration, I repeatedly answer calls from the public concerning low-flying helicopters and their attendant noise. Many people are concerned about the proximity of helicopters to densely populated areas. The complaints come mainly from people who are near beaches or other gatherings of large groups of people. Complaints come from urban areas where helicopters fly across with no altitude restrictions. The proliferation of the newer, less expensive helicopters has brought on a series of complaints, many of which are justified in my opinion.

**Solution:** The Federal Aviation Regulations, specifically Title 14 Code Of Federal Regulations, Part 91 Subpart B § 91.119 Minimum Safe Altitudes, specifies minimum altitudes for airplanes, but not for helicopters. The rule states in particular part: "Helicopters may be operated at less than the minimums prescribed in paragraph (b) or (c) of this section if the operation is conducted without hazard to persons or property on the surface."

Very often, the hazards may only be perceived by the persons on the surface, however, the persons very often have a valid complaint. Perceptions are our only reality. There should be no reason for helicopters to fly closer than 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet, just like fixed-wing aircraft, unless they are in the act of landing or taking off. Even then, they should be required to avoid persons or property on the surface while taking off or landing.

I am an experienced pilot, and in my opinion there is simply no reason to fly at the altitudes helicopters are allowed to fly over densely populated areas. Noise pollution is one of several factors involved in low flying. An inherent hazard exists due to the lack of ability to avoid causing damage to persons or property on the surface in the event of an engine failure, or a mechanical malfunction.

Sincerely,



Thomas N. Jones  
(804) 222-7494, ext. 202 (w)  
(804) 530-9909 (h)

July 21, 2000

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OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 JUL 27 P 1:52

FAA, Office of Chief Counsel

Attention: Rules Docket No. 30086, re: helicopters

From: Marcus and Marilyn Simantel  
2024 SW Howards Way #204  
Portland, OR 97201  
503-219-9211  
simantel@msn.com

My wife and I are residents of a wonderful old neighborhood in Portland, Oregon. Unfortunately, two very busy freeways intersect not too far from this area, and as a result we have "news" helicopters hovering over us literally hours at a time making our neighborhood hard to enjoy, especially during rush hour times. The freeway traffic we don't hear, but oh, do we hear the helicopters! We are told the FAA needs to deal with this issue, that city rules get over-ruled by the federal regulations. We are also told that the helicopters stay low so they don't have to comply with FAA rules.

Whatever the rules are, they need to be adjusted to make all neighborhoods, urban and rural, more livable and enjoyable. Why should pilots be exempt when they are at low altitudes, and why are the rules such a problem for them at higher altitudes? The whole situation is getting out of hand... sometimes there are three helicopters up there making life miserable for us earth bound folks.

Thank you for seeing that this gets addressed.

Marcus and Marilyn Simantel

Marilyn Simantel  
Marcus Simantel

DAVID ALLRED

1674 SW MONTGOMERY DRIVE  
PORTLAND OREGON 97201

Telephone (503) 228-6936  
Fax (503) 294-1789  
dred@uswest.net

(27)

Federal Aviation Administration  
Office of Chief Council  
Attn: Rules Docket  
Docket No 30086  
800 Independence Avenue, SW  
Room 915H  
Washington DC 20591

Dear Sir or Madame,

Please include my comments in your report to Congress on the effects of nonmilitary helicopter noise on individuals in densely populated areas.

My wife and I live in the downtown area of Portland, Oregon. We are continually, on a daily basis, plagued by the noise from helicopters transiting through or orbiting over our area. We believe these intrusions to our peace and quiet are most often from news media owned or contracted helicopters observing traffic. They begin about 6:30 AM and the noise prevents us from sitting outside in our patio to enjoy the morning. We estimate that the helicopters are no more than 1000 feet above us and often are much lower. The hilly terrain of our neighborhood exacerbates the problem. Many of our neighbors also complain of the noise and disruption to their lives.

We believe that adequate technology exists so that helicopters can obtain images fully suitable for news gathering purposes at much higher altitudes than they are currently using. We are told that they find it more convenient to fly lower so as to avoid control by Portland International Airport controllers. We find this excuse to be completely unacceptable.

We urge you, and the Congress, to take whatever action is necessary to end these unwarranted, unsafe and unhealthy intrusions to our neighborhoods.

Sincerely,

David Allred,  
Leru Adams

*David Allred*  
*Leru Adams*

Copies to the Oregon Congressional Delegation

2000 JUL 27 P 1:58

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET



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OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 JUL 27 P 1:57

July 21, 2000

FAA, Office of Chief Counsel  
Attn: Rules Docket # 30086  
800 Independence Ave., SW Rm 915H  
Washington DC 20591

Dear FAA,


We are pleased to provide our thoughts for your consideration in preparing the "Effects of Helicopter Noise on Individuals in Densely Populated Areas" report for Congress.

The increasing amount of urban noise pollution is adversely affecting our livability. One of the many causes of increased urban noise is helicopters. Whether it is helicopter taxis, traffic reporting helicopters, news helicopters, or emergency services helicopters, the numbers are increasing, as is the noise disturbance that we experience.

We are unsure what the minimum height requirements are or whether or not helicopters are observing the requirements. What we do know is that the seemingly constant helicopter traffic disturbs our concentration and sometimes our sleep. During inclement weather the low flying helicopters literally shake our house. Maybe there are ways to make helicopters quieter, if not then they should be required to maintain more height over urban areas.

We acknowledge that living in an urban environment requires some tolerance to noise pollution. We would however support any Congressional effort to study ways to reduce what seems to be excessive noise generated by helicopters in urban areas.

Thanks for your consideration,



Arlen & Rita Sheldrake  
1718 SW Parkview Court  
Portland OR 97221-2640  
503-223-7006

noise072100

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0529**

HENRY A. WAXMAN  
29TH DISTRICT, CALIFORNIA

September 11, 1995

Ms. Ida M. Klepper  
Manager, Airmen and Airspace Rules Division  
Federal Aviation Administration  
800 Independence Ave., S.W.  
Washington, DC 20591

Re: Petition 27371

Dear Ms. Klepper:

I was disappointed to learn that the Federal Aviation Administration was unable to accommodate the legitimate concern of homeowners in my 29th Congressional district regarding helicopter noise.

While I share the FAA's concern about safety, I am not convinced that the current rules are in fact rooted in unassailable scientific safety considerations.

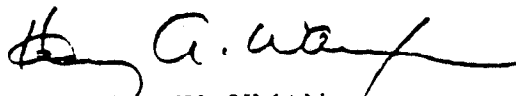
I respectfully ask you to once again review your data in the light of the repeated requests of a large number of homeowners who report to me regularly on the negative consequences of failure to apply the 1000 foot height limit imposed on airplanes to helicopters.

I write to you out of a deep concern for the safety and reasonable peacefulness of residential neighborhoods. I in no way support any change in the current rules which would interfere with emergency medical flights or the use of helicopters by law enforcement. What my community seeks is reasonable curbs on purely recreational or commercial use of helicopters at heights and times which are very disruptive.

We all understand and appreciate the use of helicopters in emergency situations such as fires, floods, crime, and civil unrest. We believe that the suggestion of the application of the 1000 foot rule to helicopters is completely consistent with these transcendent public concerns.

Thank you in advance for your courtesy in this matter.

Sincerely,



HENRY A. WAXMAN  
Member of Congress

HAW:her

SALAMANCA, CA 90025  
9081 445 7928  
DISTRICT OFFICE  
1950 SAWTELLE BLVD  
SUITE 210  
LOS ANGELES, CA 90025  
3101 479 5588  
LYNNETTE STEVENS  
CHIEF OF STAFF  
DAN FLYNN  
LEGISLATIVE CONSULTANT

# California State Senate

**HERSCHEL ROSENTHAL**

22ND SENATORIAL DISTRICT

CHAIRMAN

SENATE COMMITTEE ON ENERGY AND PUBLIC UTILITIES

August 4, 1994

BUSINESS AND PROFESSIONS  
ELECTIONS AND REAPPORTIONMENT  
GOVERNMENTAL ORGANIZATION  
INDUSTRIAL RELATIONS  
INSURANCE, CLAIMS AND CORPORATIONS  
HOUSING AND URBAN AFFAIRS  
SUBCOMMITTEES  
BIOETHICS  
WOMEN IN THE WORKFORCE  
MENTAL HEALTH DEVELOPMENTAL DISABILITY  
AND GENETIC DISEASES  
MEMBER:  
EARLY CHILDHOOD EDUCATION  
ADVISORY COUNCIL  
CALIFORNIA MOTION PICTURE  
COUNCIL ADVISORY COMMITTEE  
CALIFORNIA HERITAGE PRESERVATION  
COMMISSION



Mark L. Gerchick  
Federal Aviation Administration  
Office of the Chief Council  
Attn.: Rules Docket 27371  
800 Independence Avenue  
Washington, D.C. 20591

Dear Mr. Gerchick:

As State Senator representing portions of the San Fernando Valley, I consistently receive complaints from residents concerning excessive noise from helicopter flights originating at the Van Nuys Airport. The noise interferes with telephone conversations and television viewing. The noise disrupts sleep. Often it is not possible to conduct a conversation in one's own back yard without being drowned out by the sound of engines from low flying helicopters.

The purpose of this letter is to urge that the FAA adopt regulations placing reasonable height limitation requirements on all non-emergency helicopter flights. Clearly, the height at which many of these flights occur is too low and has a dramatic negative impact on the quality of life for thousands of San Fernando Valley residents.

Thank you in advance for your assistance in resolving this problem.

Sincerely,

*Herschel Rosenthal*  
HERSCHEL ROSENTHAL  
Senator, 22nd District

HR:lsj

SEE STOP THE NOISE



# COUNCILMAN JOEL WACHS

SECOND DISTRICT, CITY OF LOS ANGELES  
SERVING THE SAN FERNANDO VALLEY

October 18, 1995

Dr. Gerald Silver  
Homeowners of Encino  
PO Box 260205  
Encino, CA 91426

Dear Dr. Silver:

Assuming the FAA considers it safe, I reiterate my wholehearted support of your nationwide effort to subject non-emergency helicopter operations to FAR 91.119, thereby setting a minimum altitude of 1000 feet above ground level for all general aviation.

Sincerely yours,

JOEL WACHS  
President Pro Tem  
Los Angeles City Council

P.O. BOX 942097  
SACRAMENTO, CA 94249-0001  
(916) 445-4956

DISTRICT OFFICE  
16130 VENTURA BLVD., SUITE 230  
ENCINO, CA 91436  
(818) 501-8991

# Assembly California Legislature

SHEILA JAMES KUEHL  
ASSEMBLY MEMBER, FORTY-FIRST DISTRICT

JUDICIARY  
NATURAL RESOURCES  
PUBLIC SAFETY  
RULES  
SELECT COMMITTEE ON THE  
INSOLVENCY OF ORANGE COUNTY

October 22, 1995

David Hinson  
Executive Administrator  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington D.C. 20591

Dear Mr. Hinson:

I am writing to express my support for the establishment of at least a one thousand foot minimum altitude for non-emergency helicopters flying over congested areas. I understand that the FAA is considering raising the minimum helicopter altitude in heavily populated areas such as Los Angeles.

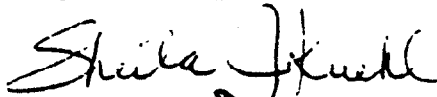
Many of my constituents are concerned about their safety as well as the noise made by helicopters landing and taking off from the Van Nuys and Santa Monica Airports. I represent the area just southwest of Van Nuys Airport and all of Santa Monica...

With the increase in usage of helicopters by the media as well as tourists taking sight-seeing tours, residents are concerned that their safety and peace and quiet are jeopardized.

Helicopter usage will most certainly continue to increase. In order to provide safety to the residents of Los Angeles County both in the San Fernando Valley and on the Westside of Los Angeles, I encourage you to raise the minimum helicopter altitude over heavily populated areas.

Thank you for your consideration on this matter. Please do not hesitate to call me if I can be of any assistance.

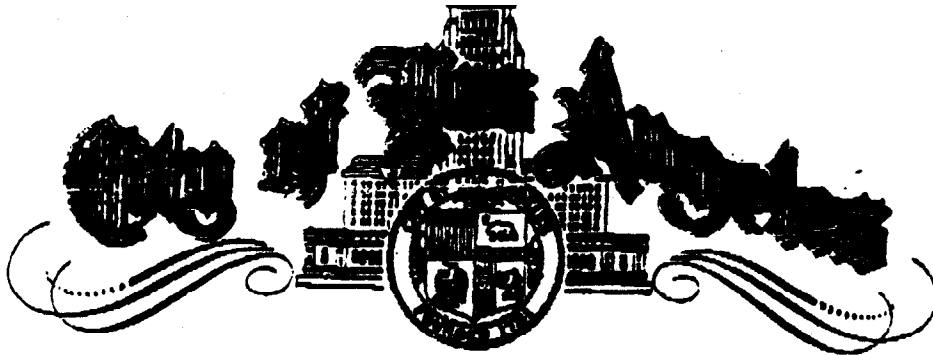
Sincerely,



SHEILA JAMES KUEHL  
Assemblymember, 41st District

cc: Stop the Noise!

Serving Agoura Hills, Brentwood, Calabasas, Canoga Park, Encino, Hidden Hills, Malibu, Pacific Palisades, Reseda, Santa Monica, Tarzana, Topanga, West Hills, Westlake Village and Woodland Hills



CITY HALL  
LOS ANGELES, CALIFORNIA 90012  
(213) 847-2400

OFFICE OF THE MAYOR

RICHARD J. RIORDAN  
MAYOR

November 3, 1994

Mr. Mark L. Gerchick  
Chief Counsel, Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Dear Mr. Gerchick,


RE: Docket No. 27371

As Mayor, I am concerned about the quality of life in Southern California. Unfortunately, many residents of the City of Los Angeles are interrupted in their daily activities by the noise generated by low-flying helicopters. I am writing to express my support for the proposed rule change filed by the *Homeowners of Encino* which would require helicopters not engaged in emergency operations to operate at a minimum altitude of 1,000 feet.

The City of Los Angeles consistently receives numerous complaints by residents who are awakened and disturbed by both early morning and low-altitude sight-seeing flights. In some circumstances, these interruptions make it impossible for residents to perform their normal daily activities. The FAA should take into consideration the urban environmental impacts of the noise pollution generated by low-flying helicopters as it considers the proposed rule change.

I strongly urge you to adopt the proposed amendment to FAR 91.199 (d), to eliminate the exception of helicopters, with an exemption for emergency helicopters, from the minimum altitude standard to ensure neighborhood residents a greater and more quiet enjoyment of their property and daily lives.

Sincerely,

  
Richard Riordan  
Mayor

SACRAMENTO ADDRESS  
STATE CAPITOL  
SACRAMENTO, CA 95814  
(916) 445-8380

REPLY TO:  
DISTRICT ADDRESS  
6750 VAN NUYS BLVD., SUITE 400  
VAN NUYS, CA 91401  
(818) 901-5588

STATE SENATOR  
**DAVID ROBERTI**  
CHAIR, COMMITTEE ON JUDICIARY

**California Legislature**

TWENTIETH DISTRICT  
SAN FERNANDO VALLEY



SENATE COMMITTEES:  
INDUSTRIAL RELATIONS  
HEALTH & HUMAN  
SERVICES  
TOXICS & PUBLIC SAFETY  
MANAGEMENT

SELECT COMMITTEES:  
NORTHRIDGE EARTHQUAKE

September 30, 1994

Mark Gerchick  
Federal Aviation Administration  
Office of the Chief Council  
800 Independence Avenue  
Washington, D.C. 20591

Attn: Rules Docket 27371

Dear Mr. Gerchick:

I am writing to let you know of my support for the residents in the San Fernando Valley in their fight to amend Section 91.119 of Part 91 of 14 CFR pertaining to minimum safe altitudes.

For some time my office has received complaints regarding noise caused by non-emergency helicopters flying at low altitudes from 6:00 a.m. until 11:30 p.m. every day.

It is time for the FAA to take serious action to remedy this situation. I urge you to adopt the proposed amendment eliminating the exemption of helicopters from the minimum safe altitude standard, with the understanding that the proposed change does not apply to emergency operations.

Sincerely,

*David Roberti*

DAVID ROBERTI

DR:smsm

cc: Jerry Silver



COUNCILMAN  
**MARVIN BRAUDE**  
President Pro Tempore

(213) 485-3811

Valley Office  
17547 Ventura Boulevard  
Encino, CA 91316  
(818) 989-8150

West Los Angeles Office  
1645 Corinth Avenue  
Los Angeles, CA 90025  
(310) 575-8461

Federal Aviation Administration  
Office of the Chief Counsel  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

September 9, 1994

Dear Sir or Madam:

I am writing this letter to let you know of my support for Rules Docket No. 27371, which would require non-emergency helicopter flights to operate at the same minimum altitude as do fixed wing aircraft, and Docket No. 27736, which would set a minimum altitude for helicopters operating within congested areas of 500 feet above the highest obstacle within a 2,000 foot radius of the aircraft.

The City of Los Angeles, particularly the district in which I serve, continues to be inundated with intolerable, invasive, noisy, low-flying helicopter flights. When my constituents called the FAA to get some relief from the helicopter noise, they were told that there was no minimum altitude set for helicopter operations as long as the pilots felt they were "safe". Along with the TV News helicopters, my constituents have to put up with low-flying traffic reporters as well as low-flying dinner/sightseeing flights.

I would also be in favor of raising the fixed wing minimum altitude above the current level. This would come as great relief to my constituents who also complain of noise from fixed wing flights coming from either the Van Nuys, Santa Monica or Burbank-Glendale-Pasadena Airport. Raising the minimum would surely help maintain a safe separation between helicopters and airplanes.

Thank you for your attention to the issues raised in this letter. I look forward to receiving your response.

Very truly yours,

*Marvin Braude*



STATE CAPITOL, ROOM 2002  
SACRAMENTO, CA 95814  
(916) 445-1353

10951 W. PICO BLVD., #202  
LOS ANGELES, CA 90064  
(310) 441-9084

SENATE

# California Legislature

**TOM HAYDEN**

SENATOR

TWENTY-THIRD DISTRICT



ENERGY AND PUBLIC UTILITIES  
NATURAL RESOURCES AND  
WILDLIFE  
TOXICS AND PUBLIC SAFETY  
MANAGEMENT  
TRANSPORTATION

September 12, 1994

Stop the Noise!  
Attn. Jerry Silver  
P.O. Box 260205  
Encino, California 91426

Dear Mr. Silver:

For some time now, my office has had many complaints of noise emanating from low flying helicopters and fixed wing aircraft.

I have reviewed the proposed rule change now before the FAA to modify FAR 91:119 to bring helicopters under the 1000' minimum altitude.

I strongly support the rule change and urge the FAA to modify the regulation. It is my understanding that the proposed change does not apply to emergency operations.

Sincerely,

A handwritten signature in cursive script that reads "Tom Hayden".

TOM HAYDEN

LEGISLATIVE COUNSEL  
John A. Stevens  
Principal  
Edo Lange  
Kathryn B. Pilly  
COMMITTEE SECRETARY  
Alice Livingston  
ADDRESS  
State Capitol  
Sacramento, CA 95814  
(916) 445-7278

# California Legislature

## ASSEMBLY COMMITTEE ON TRANSPORTATION

RICHARD KATZ  
Chairman

Deen Anelli  
Jim Costa  
Debra Cassin  
Robert Franco  
Jan Goldsmith  
Dan Hauser  
Kathleen Harney  
Sally Kameh  
William Knight  
Barbara Lee  
Juanita McDonald  
Grace Napolitano  
Tom Unger  
Ted Wiggeland

September 16, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
Attn.: Rules Docket 27371  
800 Independence Ave., S.W.  
Washington, D.C. 20591

RE: SUPPORT FOR FEDERAL AVIATION REGULATION 91.119 RULE CHANGE

Dear Counsel:

As an Assemblyman representing an area in Los Angeles that suffers from the aggravation of noisy low flying aircraft, I am writing to request that you adopt minimum safe altitudes for helicopters by conducting a rule change to FAR 91.119.

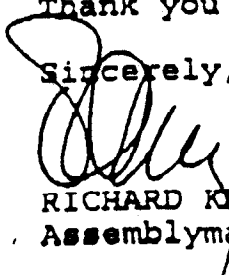
Presently, helicopters can fly at any altitude. They often operate at roof top heights with a disregard for those below. For years my office has received constituent complaints asking that something be done.

Numerous attempts to encourage helicopter operators to voluntarily avoid densely populated areas have proven unsuccessful. It is time for the FAA to take serious action to remedy this problem.

Under the current FAA regulations, helicopters are exempt from the provisions of FAR 91.119, which sets a minimum operating altitude of 1,000 feet for general aviation aircraft. I strongly urge you to adopt the proposed amendment to FAR 91.119(d) eliminating the exemption of helicopters, with the exemption of emergency helicopters, from the minimum safe altitude standard. By doing this we can ensure neighborhood residents of the quiet enjoyment of their property.

Thank you for your consideration of this request.

Sincerely,

  
RICHARD KATZ  
Assemblyman 39TH District

RK:jph

5080 STATE CAPITOL  
9884  
DISTRICT OFFICE  
18021 S. WESTERN AVENUE  
SUITE 101  
GARDENA CA 90247-5296



RALPH C. DILLS  
STATE SENATOR

CHAIR  
COMMITTEE ON GOVERNMENTAL ORGANIZATION

## California State Senate

GOVERNMENTAL ORGANIZATION  
SUBCOMMITTEE ON GAMING  
SUBCOMMITTEE ON HORSE RACING  
MEMBER  
AFFIRMATIONS  
SUBCOMMITTEE ON BONDED DEPOSITORS  
EDUCATION  
REVENUE AND TAXATION  
VETERANS AFFAIRS  
JOINT COMMITTEES  
FAIR AND CLASSIFICATIONS  
RULES  
SENATE SELECT COMMITTEES  
CALIFORNIA'S BUSINESS CLIMATE  
CALIFORNIA'S WINE INDUSTRY  
MOBILE HOMES  
PACIFIC RIM  
SOURCE REDUCTION AND RECYCLING AND  
MARKET DEVELOPMENT  
SENATE SPECIAL COMMITTEE  
SOLID AND HAZARDOUS WASTE  
COMMISSION ON TOURISM

September 19, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
Attention: Rules Docket 27372  
800 Independence Avenue  
Washington, D.C. 90591

Dear Gentleperson,

Please add my name and office to the list of supporters  
in adoption of proposed rule change 14 CFR 91.119 (d).

Currently there are no minimum standards for helicopters  
which fly over or near residential neighborhoods. Independent  
operators have not demonstrated their willingness to abide by an  
altitude which would not infringe upon the peace and tranquillity  
of those subject to the unwarranted noise.

This rule change is long overdue and I support the  
adoption by the FAA. I understand that should this rule be  
adopted, it would not affect emergency helicopters which would be  
required to fly below the set minimum altitude.

Thanking you in advance for your consideration.

Sincerely

A handwritten signature in cursive script that reads "Ralph C. Dills".

Ralph C. Dills

28TH DISTRICT, CALIFORNIA

COMMITTEES

FOREIGN AFFAIRS

CHAIRMAN, SUBCOMMITTEE ON  
INTERNATIONAL OPERATIONS

BUDGET

JUDICIARY

# Congress of the United States

House of Representatives

Washington, DC 20515-0526

HOWARD L. BERMAN

WASHINGTON, DC 20515-0526  
(202) 225-4000

DISTRICT OFFICE  
10200 SEPULVEDA BLVD.  
SUITE 130  
MISSION HILLS, CA 91345  
(818) 891-0843  
(818) 784-1200

TO GERRY SILVER:

Congressman Howard Berman agrees to an amendment requiring helicopters to fly the same 1000' (AGL) minimum altitude over congested areas as general aviation. The proposed change would not apply to police, fire, rescue or other emergency operations.



ANGELES CHAPTER - SIERRA CLUB

3345 AVENUE 101 BOULVARD, SUITE 108, LOS ANGELES, CALIFORNIA 90010 • (213) 887-1387 • FAX (213) 887-8887

September 28, 1994

Mr. Theodore Stein, President  
Board of Airport Commissioners  
City of Los Angeles  
One World Way  
Los Angeles, CA 90009

Dear Mr. Stein:

The Angeles Chapter of the Sierra Club supports the position of Homeowners of Encino in their request that the Board of Airport Commissioners take steps to alleviate the problem of noise from helicopters at Van Nuys Airport as a condition of approving a renewal of the noise variance that the airport requested on January 15, 1992. As urged by Homeowners of Encino, there should be a curfew of non-essential helicopter operations and a redirection of arrivals and departures to the Stagg Street route from the south Sepulveda Basin route.

Helicopter noise over populated areas has become an increasing problem. Helicopter noise affects millions of people every day, by disturbing sleep, interfering with telephone conversations, television and other activities. Quiet ambience that allows people a chance to commune with nature in their yards, patios, parks and neighborhoods is being lost.

Furthermore, the Angeles Chapter requests that the Board of Airport Commissioners support the petition to the Federal Aviation Administration by Stop the Noise (Homeowners of Encino) for a rule change to require a minimum 1,000 foot altitude for all helicopters except police, fire, emergency services and rescue operations.

The FAA rule allowing helicopters to voluntarily avoid congested areas has failed. The long standing exception for helicopters from minimum altitudes is an anachronism. Many helicopter operators seem oblivious to the resulting discomfort, inconvenience and interference with the use and enjoyment of private property and ignore the well documented adverse affect on wildlife.



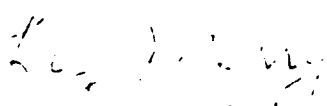
## ANGELES CHAPTER · SIERRA CLUB

The Sierra Club position on these matters is consistent with parts 2, 5 and 8, listed below, of the Sierra Club's national policy on noise pollution adopted in May, 1970, and which is ever more applicable:

2. Use predicated noise levels surrounding new or expanding airports, VTOL and STOL parts, etc., in location of facilities, establishing VTOL and STOL ports, etc., **establishing flight patterns** (emphasis added), and in creation of zoning laws to restrict residential use of areas most seriously affected.
5. Settle jurisdictional disputes among agencies concerning noise ordinance enforcement.
8. Use economic incentives such as fines and licensing fees to encourage the elimination or reduction of noise.

The curfew and redirection of helicopter arrivals and departures and the FAA rule change requested by the Homeowners of Encino are essential in order to realize a more livable and civilized urban, suburban and rural environment.

Very truly yours,

  
Liz Merry, Chair  
Conservation Committee

WASHINGTON, DC 20540  
(202) 225-2876  
DISTRICT OFFICE  
8438 WEST 3rd STREET  
SUITE 600  
LOS ANGELES, CA 90048-4183  
(213) 681-1040

CHAIRMAN, SUBCOMMITTEE ON  
HEALTH AND THE ENVIRONMENT  
GOVERNMENT OPERATIONS  
PHILIP M. SCHLARG  
ADMINISTRATIVE ASSISTANT

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0529**

**HENRY A. WAXMAN**  
29TH DISTRICT, CALIFORNIA

September 30, 1994

Federal Aviation Administration  
Office of the Chief Council  
Attn: Rules Docket 27371  
800 Independence Ave., Washington, DC 20591

Dear Sir or Madame:

I am currently congressman of the 29th congressional district. Huge portions of my district are on the flight paths of commercial and private airlines as well as helicopters.

Virtually since the day I took office, I have been petitioned by numerous responsible constituents who feel that the federal government is not doing enough to protect their homes and neighborhoods from noise generated by industrial, tourist and recreational helicopter flights. While both my constituents and I support total cooperation between helicopter pilots and those in such emergency services as rescue operations, law enforcement, and fire control, they have come to me in the hope that your agency will give greater attention to the problem of unnecessary noise than it has received hitherto.

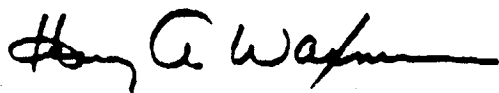
Many people are aware of the fact that the Federal Aviation Administration imposes a 1000 foot height limit on fixed wing aircraft. There is wide spread public interest in extending the 1000 foot limit to helicopters as well. My special assistant, Mr. Robin Campbell, acting as liaison between the FAA, homeowner groups, and individuals with aeronautic expertise has studied the difficulties as communicated by the FAA of applying the 1000 foot rule to helicopters.

Still, I cannot urge you strongly enough to review the specific problem of low-flying helicopters and the broader problem of air traffic noise in the San Fernando Valley and environs. I realize the difficulty of holding down noise levels in areas with such heavily travelled routes. Nevertheless, I beseech you to make every human effort possible to reduce -- at least during night hours -- the phenomenal racket of planes and helicopters flying so close to homes and businesses.

Federal Aviation Administration  
September 30, 1994  
Page 2

I trust that the FAA has the ingenuity to at least mitigate this problem. It is my understanding that cities with equally heavy traffic have devised routes and schedules less disruptive to homeowners than the ones now enforced in Los Angeles. In the name of thousands of constituents and as their elected representative, I respectfully request a prompt and constructive response.

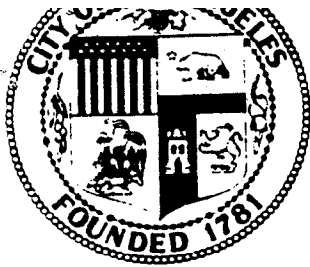
Sincerely,

A handwritten signature in black ink, appearing to read "Henry A. Waxman", with a long horizontal flourish extending to the right.

HENRY A. WAXMAN  
Member of Congress

HAW:her





**LAURA CHICK**  
**CITY OF LOS ANGELES**  
**COUNCILMEMBER, THIRD DISTRICT**

Los Angeles, CA 90012  
(213) 485-3486

DISTRICT OFFICE  
19040 Vanowen Street  
Reseda, CA 91335  
(818) 969-8848  
TDD (818) 345-6624  
Hearing and Speech Impairment

September 26, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Attn: Rules Docket No. 27371

Dear Chief Counsel:

I am writing this letter in support of the proposed rule change filed by Homeowners of Encino which would require helicopters not engaged in emergency operations to operate at a minimum altitude of 1,000 feet, which is at present the minimum altitude set for fixed-wing aircraft only.

Many of my constituents have their daily lives interrupted by the excessive noise generated by numerous low-altitude helicopter flights that take place throughout the day and night. My office has received many complaints from residents who are awakened by early morning media flights, as well as the low-altitude sight-seeing flights which make it impossible to carry on normal telephone conversations.

The present F.A.A. regulations exempt helicopters from adhering to any minimum altitude other than the pilot's judgement that the helicopter is being operated in a manner that does not pose a hazard to persons or property on the surface. Raising the minimum altitude to 1,000 feet would bring the residents of my district the much needed relief from excessive helicopter noise. On behalf of my constituents, I would like you to consider approval of this rule change which will benefit many residents of the the City of Los Angeles.

I appreciate your time and attention to this matter, and I am looking forward to your response.

Sincerely,

*Laura Chick*

LAURA CHICK  
Councilmember  
Third District

LC:DLS:cb

cc: Mr. Gerry Silver



City Council  
of the  
City of Los Angeles  
City Hall  
90012

SEN. YAROSLAVSKY  
COUNCILMAN  
FIFTH DISTRICT

COMMITTEES:  
CHAIRMAN

BUDGET AND FINANCE

MEMBER

COMMUNITY REDEVELOPMENT AND HOUSING  
RULES AND ELECTIONS

318 17th FLOOR  
100 N. SPRING STREET  
LOS ANGELES, CA 90012  
485-5013  
FAX 487-7406  
DISTRICT OFFICES  
140 SO. ROBERTSON BLVD.  
LOS ANGELES, CA 90035  
310 378-0840  
FAX 310 550-1774  
14310 VENTURA BLVD.  
SHERMAN OAKS, CA 91401  
310 389-8083  
FAX 310 798-9210

August 29, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
Attention: Rules Docket Nos. 27371 and 27736  
900 Independence Avenue, SW  
Washington, DC 20591

Dear Sir or Madam:

I am writing to express my support for the above-mentioned Petitions for Rulemaking that were published in the Federal Register on June 27, 1994 under Summary Notice No. PR-94-15. Docket No. 27371 would require non-emergency helicopter flights to operate at the same minimum altitude as do fixed-wing aircraft. This request is identical to Petition Docket No. 26563 in the Federal Register of July 16, 1991 (submitted by the Benedict Canyon Association of Los Angeles, California) which I supported in my letter to you of October 8, 1991 (attached). The helicopter nuisance situation in the Santa Monica Mountains area of Los Angeles has not improved since 1991 and has, in fact, deteriorated. It makes no sense to allow helicopters to fly at any altitude they choose over populated areas. Helicopter flights are now too numerous, and are used for too many invasive purposes, such as sight-seeing and real estate "caravans," to continue to allow their historic exemption from minimum altitude rules. I understand the concern of some that setting a minimum altitude for helicopters could create conflicts with fixed wing craft. It may be necessary to raise the fixed wing minimum above the current level in order to maintain a safe separation between helicopters and airplanes. Regardless, the FAA must act to protect the right of citizens to the peaceful enjoyment of their homes and businesses from loud and irritating helicopter noise.

I also support Docket No. 27736, submitted by the City of Santa Monica, which would set a minimum altitude for helicopters operating within congested areas of 500 feet above the highest obstacle within a 2,000 foot radius of the aircraft. This would accomplish much the same purpose as Docket No. 27371 without requiring a higher minimum altitude for fixed wing craft.

Helicopter noise is a growing environmental problem in the Los Angeles area and undoubtedly in urban areas nationwide. The FAA must recognize this problem and actively seek out solutions that will work both for the aviation community and for the populations it overflies. Please see enclosed five letters which I have received within the past month on this issue. Dockets No. 27736 and 27371 deserve your utmost consideration.

Thank you for your attention to these remarks.

Sincerely,

ZEV YAROSLAVSKY  
Councilman, Fifth District

ZY:akj

Encs.

bcc: Gerald Silver  
Homeowners of Encino

STATE CAPITOL  
SACRAMENTO, CA 95814  
916/446-7844  
916/323-8458 (FAX)  
DISTRICT OFFICE  
13701 RIVERSIDE DRIVE  
SUITE 600  
SHERMAN OAKS, CA 91423  
818/783-1978  
(818) 783-2672 (FAX)

# Assembly California Legislature

BARBARA FRIEDMAN  
ASSEMBLYWOMAN FORTIETH DISTRICT

WAYS AND MEANS SUB I  
HEALTH AND HUMAN SERVICES  
MEMBER  
REVENUE AND TAXATION  
ENVIRONMENTAL SAFETY AND  
TOXIC MATERIALS  
AIDS TASK FORCE



August 24, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
Attn: Rules Docket 27371  
800 Independence Ave., S.W.  
Washington, D.C. 20591

Dear Counsel:

I am the California State Assemblywoman for the Van Nuys airport, along with the areas surrounding both the Van Nuys and Burbank airports. I am writing to urge you to adopt the proposed Rule Change to FAR 91.119.

The Van Nuys and Burbank airports are located in heavily populated residential neighborhoods which are adversely affected by helicopters operating out of these facilities. For years, my office has received complaints regarding helicopter noise caused by non-emergency helicopters flying at very low altitudes. The complaints include disturbance of sleep, excessive noise, and interference with telephone conversations, TV, and other activities.

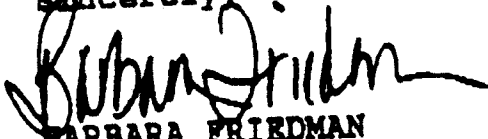
These helicopter flights are typically for sight-seeing or monitoring freeway traffic for television and radio stations. The flights by the news media begin as early as 5:45 a.m. and continue all day. Sight-seeing tour companies rent helicopters for tours which continuously take place all day until approximately 11:30 p.m.

Numerous attempts to encourage helicopter operators to voluntarily avoid densely populated areas have proven unsuccessful. It is time for the FAA to take serious action to remedy this problem. Under the current FAA regulations, helicopters are exempted from the provisions of FAR 91.119, which sets a minimum altitude of 1,000 feet for general aviation. I strongly urge you to adopt the

proposed amendment to FAR 91.199(d) to eliminate the exception of helicopters, with an exemption for emergency helicopters, from the minimum altitude standard to ensure neighborhood residents of the quiet enjoyment of their property.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Friedman", written over the typed name.

BARBARA FRIEDMAN

California State Assemblywoman, 40th District

BF:alo

# California Legislature

**TERRY B. FRIEDMAN**

ASSEMBLYMAN, FORTY-FIRST DISTRICT

**Chairman, Labor and Employment**



August 23, 1994

Federal Aviation Administration  
Office of the Chief Counsel, Attn.: Rules Docket 27371  
800 Independence Avenue  
Washington, D.C. 20591

RE: SUPPORT FOR FAR 91.119 RULE CHANGE

Dear Sir or Madam:

As the representative to the California State Assembly for the areas surrounding both the Santa Monica and Van Nuys airports, I am writing to urge you to adopt the proposed Rule Change to FAR 91.119.

The Santa Monica and Van Nuys airports are located in heavily populated residential neighborhoods which are adversely affected by helicopters operating out of these facilities. For years, my office has received complaints regarding helicopter noise caused by non-emergency activities including dinner flights and sight seeing tours. In some cases, flights have begun as early as 6:00 in the morning.

Attempts to encourage helicopter operators to voluntarily avoid congested areas have failed. It is now time for the FAA to take action to remedy this situation. Under current FAA regulations, helicopters are exempted from the provisions of FAR 91.119, which sets a minimum altitude of 1000 feet for general aviation. I urge you to change FAR 91.199(d), which controls helicopter flights, and eliminate the exception of helicopters from this minimum altitude standard.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in dark ink that reads "Terry Friedman".

TERRY B. FRIEDMAN  
California State Assemblyman, 41st District

TBF:lnf

SACRAMENTO OFFICE  
STATE CAPITOL  
SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 445-7440

DIANE M. GRIFFITHS  
CHIEF OF STAFF

DISTRICT OFFICE  
8425 WEST THIRD STREET, SUITE 406  
LOS ANGELES, CALIFORNIA 90048  
TELEPHONE (213) 655-9750

Assembly  
California Legislature



BURT MARGOLIN  
ASSEMBLYMAN, FORTY-SECOND DISTRICT

HEALTH

COMMITTEES  
FINANCE, INSURANCE AND  
PUBLIC INVESTMENT  
NATURAL RESOURCES

August 23, 1994

Federal Aviation Administration  
Office of the Chief Counsel  
Attention: Rules Docket 27371  
800 Independence Avenue  
Washington, D.C. 90591

To whom it may concern,

I am writing to request that you adopt the minimum helicopter altitude rule change to 14 CFR 91.119. I represent many constituents who live in areas affected by disturbing helicopter noise.

The use of non-emergency helicopters continues to create noise pollution in our city and repeated attempts to curtail the noise have failed. It is unreasonable to expect people in residential neighborhoods to bear the intrusion of noisy low flying helicopters for no acceptable reason.

I therefore request that you adopt the proposed rule change to 14 CFR 91.119(d) which eliminates the exemption for non-emergency helicopters flying below the minimum altitude standard currently in effect for other aircraft.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Burt Margolin".

BURT MARGOLIN  
Member of the Assembly

cc: Gerald A. Silver/Stop the Noise!

ANTHONY C. BEILENSON  
24TH DISTRICT CALIFORNIA

(202) 225-6911

WOODLAND HILLS OFFICE:  
21031 VENTURA BOULEVARD 91364-1  
(818) 398-1990

THOUSAND OAKS OFFICE:  
200 N WESTLAKE BOULEVARD 91362-1  
(805) 498-4333

COMMITTEE ON RULES  
CHAIRMAN  
SUBCOMMITTEE ON RULES OF THE HOUSE

COMMITTEE ON THE BUDGET

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0524**

August 19, 1994

Office of the Chief Counsel  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Attn: Rules Docket 27371

Dear Sir or Madam:

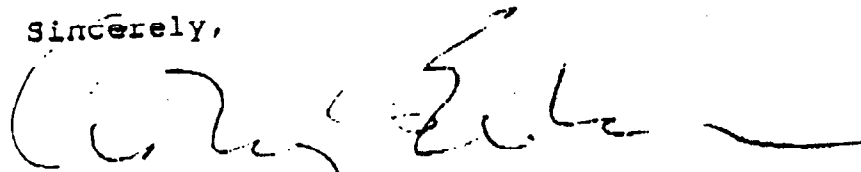
This letter is written in support of the Rule Change filed by Homeowners of Encino to amend Section 91.119 of Part 91 of 14 CFR pertaining to minimum safe altitudes.

For years, many people who live in the district I represent have experienced the excessive noise of helicopters from early morning to late in the evening. My San Fernando Valley office receives phone calls and letters on a daily basis from constituents who are awakened by numerous media helicopters before 6 o'clock every morning. They tell us this noise not only disturbs their sleep, but throughout the day they are unable to carry on normal telephone conversations or use their outdoor patios for entertaining.

Under current FAA rules, helicopters are exempt from minimum altitudes "as long as the operation is conducted without hazard to persons or property on the surface." On behalf of our constituents, we are asking that you consider approval of this Rule Change which will mandate a minimum altitude for helicopters as well as fixed-wing aircraft.

I appreciate your time and attention to this request and ask that you keep our office informed on the status of the Rule Change request.

Sincerely,



ANTHONY C. BEILENSON  
Member of Congress

ACB/ah





ANGELES CHAPTER - SIERRA CLUB

3345 WILSHIRE BOULEVARD - SUITE 308 - LOS ANGELES - CALIFORNIA 90010 - TEL 213-887-4287 - FAX 213-887-5383

August 24, 1994

Office of Chief Counsel  
Federal Aviation Administration  
800 Independence Avenue  
Washington, D.C. 20591

RULES DOCKET NO. 27371 - MINIMUM ALTITUDE FOR HELICOPTERS

The Sierra Club strongly supports the petition by Stop the Noise (Homeowners of Encino) for a rule change, as published in the Federal Register on June 27, 1994, to amend F.A.R. 91.119 (d) to eliminate the exception for helicopters from the FAA prohibition on operating aircraft below 1,000 feet "above the highest obstacle within a horizontal radius of 2,000 feet from the aircraft" while overflying "any congested area of a city, town, or settlement, or above any assembly of persons." Under this proposed change only "Helicopters operated by any municipal, county, state or federal authority for emergency services, rescue operations, police or fire protection" would be permitted to operate below the 1,000 foot minimum applying to all other aircraft.

In addition, the Sierra Club supports the establishment of at least a 1,000 foot minimum altitude over open water proximate to lakefronts and coastal zones, in order to protect beaches, recreational boaters, and coastal communities from helicopter noise. (Current altitude minimums over water are only 500 feet.) We advocate a zone of protection sufficiently broad and high as to substantially restore natural quiet along our beachfronts and shorelines, and for recreational boaters just offshore.

Helicopter noise over populated areas has become an increasing problem, affecting millions of people every day. It disturbs sleep, interferes with telephone conversations, reading, writing,



## ANGELES CHAPTER · SIERRA CLUB

-2-

television and enjoyment of outdoor walks, quiet ambience and natural vistas. The quietude of parks and other natural areas is spoiled by constant helicopters. Noisy sightseeing flights are conducted over residential communities, beaches, parks, national recreation/park areas and even movie stars' homes. A recent spectacle over a quiet Los Angeles area residential neighborhood and along the freeways during the O.J. Simpson chase involved dozens of low flying media helicopters that interfered with the police, endangered the public and disrupted the neighborhood(s).

In reaction, people have complained, news articles have been written and meetings have been held by both resident and aviation groups seeking to address the helicopter noise problem. The FAA has received numerous complaints concerning low flying helicopters over noise sensitive populated areas.

Allowing helicopters to voluntarily avoid congested areas has failed. The long standing exception for helicopters from minimum altitudes is an anachronism. Many helicopter operators seem oblivious to the increasing discomfort, inconvenience and interference with the use and enjoyment of both private and public property. They ignore the well documented adverse effect on wildlife. They violate even minimal concepts of quiet-time sanctuary and repose for our people.

This proposed rule change is consistent with parts 2, 5, and 8, listed below of the Sierra Club's national policy on Noise Pollution, adopted in May, 1970. This policy is at least as applicable now as it was at the time of original passage.

(from Policy)

2. Use predicated noise levels surrounding new or expanding airports, VTOL, and STOL parts, etc. in location of facilities, establishing VTOL and STOL ports, etc., establishing flight patterns (emphasis added) and in creation of zoning laws to restrict residential use of areas most seriously affected.
5. Settle jurisdictional disputes among agencies, concerning noise ordinance enforcement.
8. Use economic incentives such as fines and licensing fees to encourage the elimination or reduction of noise.



ANGELES CHAPTER · SIERRA CLUB

-3-

Again, the Sierra Club supports this petition for a rule change in the interest of realizing a more liveable and civilized urban, suburban and rural environment.

Very truly yours,

Bonnie E. Sharpe, Chair  
Angeles Chapter, Sierra Club

# EXPERIENCE THE ULTIMATE HIGH



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Looking for romance. Experience one of our romantic dinner flights. We offer a three course candle light dinner, in one of two fine restaurants located in the Airtel Plaza Hotel. Or relax and enjoy a cocktail at Wingwalkers. After your evening of romantic adventure, stay and dance the night away. Special occasion? Birthday? Anniversary? We can help you create that special time.

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Cocktail Flight	\$75.00p
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**City of Angeles Tour  
Ht 202**

Cocktail Flight	\$99.00p
Dinner Flight	\$119.00p

*Take off on your fantasy adventure above the lights of L Angeles. You will see UCLA, Westwood, Beverly Hil Hollywood. Soar around the sky scrapers of downtown L Angeles. As you leave downtown you will see Dodger Stadiu the Griffith Park Observatory, the Hollywood Sign a Universal Studios.*

**The Ultimate High  
Ht 303**

Cocktail Flight	\$99.00
Dinner Flight	\$119.00
Sunday Brunch Flight	\$119.00

*Cleared for takeoff to romance. Put on your stereo headset o experience the Ultimate High above the Malibu coast line. Y Helicopter will wisk you over Santa Monica and up the coast l to Malibu. Enjoy nature at it's best, look for dolphins and se at play. See California surfers catching a wave. Try a roma sunset tour or take the family to Sunday brunch and see Mal from the air.*

### Extra Fun

*For an additional charge add to your fantasy adventi Limousine service & Van shuttle pick-up's are available. also offer Hotel packages and private flights. Customized to available.*

**Operations Daily From The  
AIRTEL PLAZA HOTEL**  
7277 Valjean Ave. • Van Nuys Airport CA

**Heli Tours Mailing Address**  
2520 Harmony Place • La Crescenta, CA 91214

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET

2000 JUL 27 P 1:56

HOMEOWNERS OF ENCINO  
GERALD A. SILVER, PRESIDENT  
P. O. BOX 260205  
ENCINO, CA 91426

EMAIL: gsilver@sprintmail.com

U. S. DEPARTMENT OF TRANSPORTATION  
FEDERAL AVIATION ADMINISTRATION

(29)

\*\*\*\*\*

In the matter of:

ASSESSMENT OF NON-MILITARY  
HELICOPTER OPERATIONS FOR  
A DENSELY-POPULATED AREA  
(HELICOPTER NOISE)

PUBLIC COMMENT

Submitted to

Office of Chief Counsel  
Federal Aviation Administration  
800 Independence Ave. S. W.  
Washington, DC 20591

REGULATORY DOCKET 30086

JULY 20, 2000

\*\*\*\*\*

I.

PUBLIC INPUT FOR STUDY  
TO CONGRESS ON HELICOPTER NOISE

This document is in response to the Federal Aviation  
Administration's efforts to seek public comment to help the agency  
prepare a report to Congress on the effects of non-military helicopter  
noise on individuals in densely-populated areas.

Section 747 of the FAA Reauthorization Act of 2000 directed the  
FAA to conduct a study that would focus on air traffic control

1 procedures to address the helicopter noise problem and take into  
2 account the needs of law enforcement. The comments below are submitted  
3 to the FAA to become part of the official record.

## 4 II.

### 5 THE FAA ASKED FOR RESPONSES TO FOUR QUESTIONS

6 In its request seeking public comment, the FAA asked for  
7 responses to four questions:

8 1. What are the types of helicopter operations that elicit the  
9 negative response by individuals in densely populated areas?

10 2. What air traffic control procedures are applicable in  
11 addressing helicopter noise reduction? Why?

12 3. What impacts could restrictive air traffic control procedures  
13 have on operation of law enforcement helicopters, electronic news  
14 gathering helicopters, sightseeing tour helicopters, emergency medical  
15 services helicopters, corporate executive helicopters?

16 4. What are the recommended solutions for reduction of the  
17 effects of non-military helicopter noise?

## 18 III.

### 19 HOMEOWNERS OF ENCINO'S RESPONSE TO THE FOUR QUESTIONS

20 Q-1. What are the types of helicopter operations that elicit the  
21 negative response by individuals in densely-populated areas?

22 A-1 Almost all helicopter flights over the San Fernando Valley,  
23 including Encino, Sherman Oaks, Tarzana, Studio City, the Cahuenga  
24 Pass, Hollywood and the Santa Monica mountains cause an enormous  
25 amount of noise and negative public reaction. Early morning media

1 flights, emerging from Van Nuys Airport (VNY), are the source of the  
2 most troublesome operations. TV Channels 2, 4, 5, 7, 9, 11, 13, 34,  
3 and radio KFI, KNX and KFWB are some of the most distressing, low  
4 flying, or hovering flights (characteristic of news operations). In  
5 addition, a larger number of sight-seeing/tourist flights are operated  
6 from VNY and they too are very troublesome at all hours. These flights  
7 frequently begin from VNY, fly over Universal Studios, the Hollywood  
8 sign, the homes of celebrities or various landmarks.

9 Van Nuys Airport has become the region's helicopter center for a  
10 vast number of media, sight-seeing, training and City helicopters.  
11 This heavy concentration of helicopters, frequently flying as early as  
12 5 a.m., and at low altitudes has become a major community nuisance  
13 that the FAA must address.

14 Q 2. What air traffic control procedures are applicable in  
15 addressing helicopter noise reduction? Why?

16 A-2. The local airport operator, Los Angeles World Airports  
17 (LAWA), has not established local flight procedures that adequately  
18 address the helicopter noise problem. Six routes are used by  
19 helicopters to fly in and out of VNY. These routes, especially the  
20 Sepulveda Basin South, take helicopters over a large, heavily  
21 populated urban area.

22 Since the FAA has refused to establish minimum altitudes for  
23 helicopters (short of what the pilot deems safe), helicopter pilots do  
24 what they like. [See Docket 27371]. This results in loud, frequently,

1 low flying helicopters over heavy residential populations at virtually  
2 all hours of the day and night.

3 To control urban helicopter noise, we believe it is imperative  
4 for the FAA to implement the flight procedures below:

- 5 1. Establish minimum altitudes over populated areas. Clearly a  
6 minimum altitude of at least 1500 ft. AGL should be  
7 established over populated urban areas. The lack of minimums  
8 create a horrendous noise problem for residents on the ground.  
9 The hope of "self-regulation" by the helicopter industry has  
10 proven to be a failure, as has the industry's "Fly Friendly"  
11 program. The FAA must step in and resolve this issue.
- 12 2. Limits must be placed on the number of helicopters that can be  
13 involved in reporting a car chase, loose dog or cat on the  
14 freeway, or minor blaze in a residential dwelling or office  
15 building. The current FAA policy allows dozens of helicopters  
16 to track one car chase, creating an enormous noise problem on  
17 the ground, and an unnecessary burden for FAA traffic  
18 controllers. Rules must be established to control this kind of  
19 activity, including a requirement that helicopters "pool"  
20 their news coverage.
- 21 3. Limit use of helicopter to gather electronic images, rather  
22 than allowing helicopters to serve as low altitude "TV  
23 studios." There needs to be regulations on what kinds of  
24 activities are permitted in the air.



1 4. Freeways should not be arbitrarily defined as established  
2 helicopter routes. These routes create a heavy noise burden on  
3 residents that live near freeways. It is a fallacy that  
4 residents living near freeways are less disturbed by  
5 helicopters than other residents. These people often endure  
6 excessive traffic noise, and adding more helicopter noise  
7 makes matters even worse. The FAA should not take the "easy  
8 way" out and blindly adopt freeways as approved helicopter  
9 routes. What is needed is a careful assessment of land uses on  
10 the ground before defining any helicopter route. When defining  
11 a route, preference should be given to over-flying commercial  
12 or industrial land, not freeway routes located near  
13 residential populations.

14 5. Larger N numbers must be required on helicopters. While many  
15 media outlets paint large graphics or station call signs on  
16 their helicopters, they should be required to paint large N  
17 numbers on them as well. This would enable people on the  
18 ground to readily identify disturbing helicopter operations.

19 6. Police, fire and other emergency helicopters should be  
20 required to adhere to high minimums when not in active  
21 service. This would prevent, for example, a police helicopter  
22 from flying low when returning to the heliport, after it has  
23 completed its assignment.

24 7. Maximum time limits must be established for hovering or  
25 stationary operations over urban areas. Helicopters frequently

1 hover over an accident scene, minor disturbance or police  
2 investigation for several hours. This interferes with police  
3 work and generates an enormous noise problem for residents on  
4 the ground.

5 8. Each metropolitan area should have a helicopter noise hot  
6 line, funded by the FAA or local airport that is well  
7 publicized for the public's use. It should be promoted in the  
8 media to encourage residents to report offending helicopter  
9 operations. The FAA needs to staff these hot lines and contact  
10 the nuisance helicopter operators when necessity.

11 9. Limits must be placed upon the frequency of sight-seeing and  
12 tourist helicopter operations over urban areas. In some  
13 communities, sight-seeing helicopters fly the same routes  
14 repeatedly every ten or fifteen minutes. This must be stopped,  
15 regulated or severely limited.

16 10. Curfews should be established to control industry excesses.  
17 Unless a sound justification is made for an exception, a 10  
18 p.m. to 7 a.m. curfew should be established for helicopters  
19 operating over populated areas.

20 Q-3. What impacts could restrictive air traffic control  
21 procedures have on operation of law enforcement helicopters,  
22 electronic news gathering helicopters, sightseeing tour helicopters,  
23 emergency medical services helicopters, corporate executive  
24 helicopters?

1       A-3. We believe that the restrictions that we have suggested  
2 above would significantly reduce noise on the ground while having only  
3 a marginal or inconsequential impact on law-enforcement or emergency  
4 operations.

5       1. Law-enforcement helicopters should be allowed to perform  
6 necessary operations when and where needed. However, when not  
7 in active service these helicopters should be required to  
8 conform to a 1500 ft. AGL minimum altitude.

9       2. Electronic news helicopters are for the most part a major  
10 nuisance; they provide entertainment for the television  
11 viewer. Better traffic reporting options are available. In  
12 some localities, such as Los Angeles, the California Dept. of  
13 Transportation's (Caltrans) Maxwell system enables the media  
14 to gather traffic information through a system of cameras and  
15 sensing loops embedded in the freeway network. This system,  
16 available to all media, and the public, is efficient, safe,  
17 requires no fuel and creates no noise or environmental  
18 problems. The FAA should investigate funding or making such  
19 traffic systems mandatory, rather than allowing helicopters to  
20 perform a redundant service.

21       3. Sight-seeing by helicopter over the city is not a desirable  
22 activity. Restrictions on such flights are necessary, since  
23 other forms of sight-seeing transportation are available.

24       4. Emergency medical service helicopters are almost without  
25 exception a tolerable necessity. However some regulation needs

1 to be placed on these operations, where residents living near  
2 emergency facilities receive most of these flights.

3 Helicopters flying to such facilities should use routes that  
4 take them as a matter of regulation over the least densely-  
5 populated areas.

6 4. What are the recommended solutions for reduction of the  
7 effects of non-military helicopter noise?

8 1. Minimum operational altitudes should be established for urban  
9 helicopter over-flights.

10 2. FAA regulations/rules should authorize local governments to  
11 restrict or to forbid placement of helicopter launching/landing  
12 facilities, and to place flight restrictions on some helicopter  
13 operations.

14 3. Sight-seeing flights over densely settled areas should be  
15 forbidden or severely limited. The FAA should allow the local  
16 jurisdiction to restrict or forbid such flights.

17 4. The FAA should adopt a rule which would allow local police,  
18 fire and highway patrol agencies to place a flashing blue light on a  
19 helicopter's underbelly. This would signal residents below that the  
20 helicopter is in public service, not sight-seeing, media or  
21 unnecessary operations. This key piece of information would help  
22 residents below assess the nature of the helicopter noise, and perhaps  
23 reduce the number of unnecessary complaints.

24 5. The FAA should devise and implement new noise standards for  
25 helicopters. A phase-out program for older models should be put in

1 place. There should be a definite phase out time limit on all Stage 2  
2 helicopters

#### 3 IV.

#### 4 GENERAL COMMENTS

5 1. Of major concern to us is whether the FAA has the commitment,  
6 staffing, facilities, or the organizational structure to take on  
7 regulation of helicopter flights over populated areas. We question  
8 whether the FAA will be able to resist the heavy lobbying efforts of  
9 the helicopter industry, including the Helicopter Associates  
10 International (HAI), and local media helicopter trade groups.

11 2. We are disturbed by the close and frequent contacts that exist  
12 between the FAA and HAI, with their heavy Washington DC presence, and  
13 other pro-aviation lobbying groups. It is essential that the FAA seek  
14 out local community groups to ascertain the real conditions and  
15 problems vis-à-vis helicopter noise.

16 3. We believe that the FAA's method of involving and informing  
17 the general public in helicopter noise matters is most unsatisfactory.  
18 There are hundreds of noise organizations, and tens of thousands of  
19 individuals across the country that are actively engaged with airport,  
20 aviation and helicopter noise issues. The FAA should have made a much  
21 more massive and thorough attempt to reach these organizations for  
22 comment for Docket 30086.

23 Our organization, Homeowners of Encino (dba National Helicopter  
24 Noise Coalition [NHNC]), was actively involved in proposing minimum  
25 helicopter altitude regulations several years ago [See FAA Docket

1 27371]. Yet we were not informed by the FAA of the current docket  
2 effort. This speaks volumes about the intent and real commitment the  
3 FAA has to address the helicopter noise problem. Our organization,  
4 which sponsors the National Helicopter Noise Coalition (NHNC),  
5 maintains an extensive list of groups and individuals across the  
6 country who should be informed directly by the FAA of Docket 30086. We  
7 will make this list available to the FAA, upon your request at no  
8 charge.

9 5. We find it distressing that such a short time frame was  
10 allowed by the FAA to gather public comment on the helicopter noise  
11 issue. Many community groups and individuals are vitally affected, but  
12 cannot prepare the necessary response in the short time allowed for  
13 public comment.

14 6. The requirement for actual physical receipt of comments in  
15 triplicate is unreasonable. The FAA should also solicit comment by  
16 email, and fax, and establish a voice mail hot-line to record spoken  
17 comments.

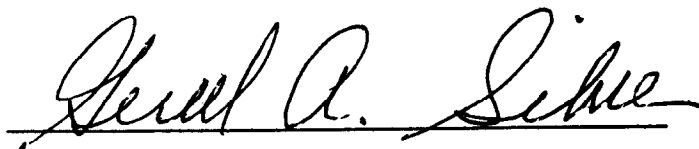
18 7. Many community, citizen, neighborhood and volunteer groups  
19 hold monthly meetings, and frequently take off summers. These groups  
20 will not have been properly notified of the FAA's interest in seeking  
21 comment on the helicopter noise issue.

22 8. The FAA must resist helicopter industry distortions and  
23 pressure. Hopefully the FAA will discount the flood of comments that  
24 may be received from the HAI or other vested helicopter industry  
25 groups. It would not be fair for the FAA to report to the Congress

1 that there is little interest in this issue or that problems are  
2 minimal.

3 V.

4 Executed at Encino, California on July 20, 2000 by Gerald A.  
5 Silver, President, Homeowners of Encino.

6   
7

8 Gerald A. Silver  
9

# Noise, Not Information, Is Target

■ Claims that a helicopter curfew would curtail traffic reports are false. This information comes from Caltrans, not the choppers adding to the pollution and chaos over the Valley.

By GERALD A. SILVER  
and MYRNA L. SILVER

Los Angeles City Atty. James Hahn has proposed a 10 p.m. to 7 a.m. helicopter curfew at Van Nuys Airport, a welcome step in limiting the out-of-control expansion of helicopter use at the airport.

As early as 5 a.m. each morning, San Fernando Valley residents are awakened by a stream of media helicopters that emerge from Van Nuys and fly low over Encino, Sherman Oaks, Studio City and through the Cahuenga Pass, leaving in their path a trail of noise. Then the whole process is reversed as the fleet repeats the routine during afternoon drive time and into the late evening hours.

The media helicopter industry would like the world to believe that its traffic reports are indispensable. They would like you to think that without helicopter air coverage, Los Angeles traffic would grind to a halt.

But nothing is further from the truth.

When one of the 50 or more helicopters stationed at Van Nuys takes flight in the early morning, an on-board reporter calls back to the radio or TV station and asks about traffic conditions, locations of accidents, SigAlerts, etc.

Back at the station, another reporter sits glued to a computer monitor and police scanners. That reporter takes notes, logs traffic jams and the like and relays it to the helicopter.

The source of all this traffic information is an amazingly efficient system developed by Caltrans. The agency has installed hundreds of traffic monitoring loops in the freeway network that monitor every foot of freeway, giving traffic speeds on each lane, road conditions and other information. They are supported by dozens of video "jam cams."

These incidents, closures, maps and video pictures are then transmitted over the Internet to the local news outlets. Anyone can access the system free of charge by logging on to <http://traffic.mazwell.com/la>.

The Caltrans system works night and

day, in good and bad weather, and it requires no helicopters and generates no smog or air pollution. It's the ideal means to report on traffic to the motoring public.

The media helicopters take their cue from the Caltrans reporting system and promptly fly to a traffic problem. Often a dozen or more helicopters will hover over an accident, creating enormous noise and chaos on the ground.

Worse, they become a safety problem to the police and emergency helicopters that must do their work overhead.

The bottom line is that traffic helicopter operations are not really necessary. The same information can be gathered and disseminated to the traveling public without any airborne operations.

There are no legal or regulatory constraints that prevent the Los Angeles World Airports Department from implementing a nighttime helicopter curfew.

Because all helicopters are considered Stage 2 aircraft, they can be controlled by the airport after a Federal Aviation Administration Part 161 Study is completed.

The Part 161 Study and curfew are what is being proposed by the city attorney. Once the study is completed, the Board of Airport Commissioners can implement the curfew without FAA permission.

But it won't be that simple. During the trek through the political minefield, the helicopter industry will bring in its big guns. Their industry trade group, Helicopter Associates International, together with local helicopter media associations, will do everything in their power to stop the curfew. They will fight tooth and nail to prevent any limits or controls on helicopter operations at Van Nuys.

Mayor Richard Riordan has put in place an airport commission that has little regard for the quality of life of Valley residents. But several mayoral candidates have been working with homeowner associations and are seeking solutions to the Van Nuys noise problem.

Assemblyman Antonio Villaraigosa (D-Los Angeles) supports a bill by state Sen. Richard Alarcon (D-Sylmar), Senate Bill 2036, that would expand the noise reporting requirements at Van Nuys. If passed into law, it would require that the airport finally count the many thousands of residents who are impacted each day

but who do not fall under current reporting criteria.

Together with a nighttime helicopter curfew, some relief could be afforded to Valley residents if the political will is there.

But the moment a curfew or any helicopter limits are suggested, the media and helicopter industry jump into action. They claim that their 1st Amendment rights would be violated and that jobs would be lost. Not true. Helicopter curfews don't stop helicopters from flying or reporting, only from flying out at 5 a.m.. Claims that traffic reports can't be delivered to the public without helicopters aloft are also untrue.

What is true is that Van Nuys Airport has become the helicopter capital of the region, with no limits on their operations.

Santa Monica Airport has a 10 p.m. to 7 a.m. helicopter curfew that protects nearby residents. Why should Van Nuys be allowed to operate at all hours with no limits?

Colorful TV promos claim that helicopters are "working for you," when in fact they show no regard for the noise they create for the people on the ground.

It is a sad fact that the local media have chosen to pander to the voyeuristic tendencies of their viewers rather than report important news. Every car that runs out of gas, every dog or cat loose on the freeway and every car chase commands a front-row seat on TV, thanks to

the media helicopters.

To Los Angeles television news directors, events in Sacramento and Washington are far less important than giving viewers their daily fix of car chases. Residents living near Van Nuys Airport pay the price.

It will take a strong and courageous mayor, City Council and Board of Airport Commissioners to do what is right for the public. Judging from past performance, it will take years before even the smallest effort to limit noise at Van Nuys takes place.

But there is hope. With the Valley champing at the bit to secede, perhaps there is the chance that elected officials will do the right thing for local residents.

Gerald A. Silver is president of Homeowners of Encino, and Myrna L. Silver is a writer. They are residents of Encino.

**Media helicopters  
take their cue from  
the Caltrans  
reporting system  
and promptly fly to  
a traffic problem.**



Friday, August 19, 1994 •

# Homeowners getting rude awakening

**Y**ou are sound asleep, and all of a sudden at 5:50 a.m. there's a roar overhead." This is Gerald Silver talking, president of the Homeowners of Encino. "It half wakes you up.



## THE VIEW FROM HERE

Russ Nichols

That's KTLA Sky Five. You're groggy, and three minutes later, KTTV Fox 11's helicopter shoots by, and now you're awake. Then two or three more helicopters fly by from radio stations. It's a barrage, one after another. I get up then, and at six-thirty or seven, the jets start in."

Silver is talking about the noise from Van Nuys Airport, a problem he says intensified three or four years ago.

"I was a guest speaker at the Studio City Residents Association, and there were 150 people there. I asked how often people were bothered by at least one helicopter every hour. A hundred and fifty people raised their hands. Some told me they were bothered ten times an hour by noisy helicopters."

See NICHOLS, page 3

## NICHOLS

Continued from page 1

Silver said the noise is created by media helicopters, sightseeing tours, even real estate agents taking clients on property inspections. He said within the last three or four years helicopter service facilities have been established at Van Nuys Airport, and there is now a helicopter pilots' school there. He said people come from all over the world to learn to fly at the airport.

Several champagne sunset flights take off every day from Van Nuys Airport. Some of the sightseers dip low for closer looks at star's homes. Madonna's Hollywood Hills house has been a popular attraction.

Brentwood residents have also complained about helicopter noise, as sighting and media aircraft have made regular appearances above O.J. Simpson's home and Nicole Brown Simpson's condo.

"When O.J.'s chase went down, there were 24 helicopters flying around. Six or eight were from Van Nuys," said Silver. Silver would like to see more pool coverage and fewer traffic copers.

"This [traffic] coverage is ineffective and incomplete, anyway," said Silver. "Caltrans has sensors buried in the concrete, and TV cameras monitoring the freeways, and they give better information than you can get from a helicopter." Silver said the smaller radio stations that can't afford helicopters use Caltrans information and do a perfectly adequate job.

"This is a beauty contest in the morning. They try to find out how to get the most gorgeous brunette up in a helicopter over the freeways in the morning. That's what it's about for the TV stations."

Silver thinks the TV and radio stations should agree on some kind of pool coverage that would put only one helicopter up instead of a half dozen at a time.

He would also like to see minimum altitudes established — at least 1,000 feet above the ground. He said television news crews could work with that because even at 1,000 feet, they could use long lenses and SteadyCam stabilizers to get useable aerial shots. He would rather see a 2,000 foot minimum.

"If the Department of Airports would simply declare the area south of the airport and the Santa Monica Mountains noise-sensitive, the pilots would fly 2,000 feet above the ground."

Silver thinks the department has not only been ignoring him, it has also been ignoring inquiries from city council. As proof he shows letters from Councilmen Zen Yaroslavsky and Marvin Braude inquiring about the noise.

Apparently top management in the department feels comfortable about ignoring city council requests.

In one letter, written almost two years ago, Zev Yaroslavsky asks Clifton Moore, at that time director of the Department of Airports, to "consider banning all but emergency helicopter flights from Van Nuys in the evening and nighttime hours."

Ten days ago, Yaroslavsky wrote to the new general manager, John Driscoll, complaining that he had never received a response to his 1992 request.

I called Maurice Laham, the environmental director for the department. Noise pollution would be in his jurisdiction. I

asked him about the letters from the city councilmen.

Laham opened his remarks by telling me he was glad I was not from the *Los Angeles Times*. "I have no respect for reporters in general and especially reporters

ters from councilmen.

Silver's observation: "So he's playing dumb, huh? I have talked to him about those letters. He knows about them."

I asked Laham about the noise problem. "I don't know anything about it," said, and referred me to a couple of names at Van Nuys Airport. As it turned out, the names were not available.

Would he be in favor of a lower limit on altitude, say 1,000 feet?

"Great idea," he said. "I would even like 2,000, the problem is the air space compressed by arriving aircraft at Burbank."

Laham said the commercial jet traffic Burbank keeps a lid on helicopter altitudes, which have lower priority, so are required to fly closer to the ground.

"That's bogus," said Silver. You don't have jets flying through the Canoga Pass. And if there was a conflict, let it go over industrial space, out by I-5."

I asked Laham about the idea to limit media aircraft noise by requiring pool coverage.

"Speaking for myself, as a concerned citizen, I think it would be a great idea said Laham. "But the politicians pay attention to the news media, and have a kind of symbiotic relationship."

So according to Laham, our elected officials are keeping him on a tight leash for fear of offending the media helicopter gods.

In other words, Maurice Laham, the Airport Environmental Manager would like to manage the environment, if or wasn't for all those darn politicians keeping the boots of their airborne media feet.

It must be tough and frustrating, be prevented from doing your job like I. Maybe the salary, around \$86,000 a helps ease the pain.

# On the Issue

INFORMED OPINIONS  
ON TODAY'S TOPICS

## Should Copters Be Subject to a Curfew?

By ED BOND  
SPECIAL TO THE TIMES

Last week, members of the Los Angeles Airport Commission adopted a resolution that sought to extend to helicopters an existing curfew for airplanes.

The new curfew—proposed for the hours from 10 p.m. to 7 a.m.—would need approval of the Federal Aviation Administration and the Los Angeles City Council.

Helicopter pilots and community groups disagree strongly about the kinds of problems helicopters cause and how often and how early in the morning they should fly. They also disagree on the usefulness of media helicopters based at Van Nuys Airport.

Should there be a curfew for helicopters at Van Nuys Airport?

Gerald Silver, president of Homeowners of Encino and the Stop the Noise Coalition:

"The answer to that is absolutely yes, because that will put Van Nuys Airport on parity and equal footing with Santa Monica and other airports that have a 7 a.m. curfew. As it is now, without the curfew . . . every helicopter in the region can come in and operate at all hours of the day and night. . . . Van Nuys has become the media center for helicopters and for tourist helicopters for the whole region."

president of the Professional Helicopter Pilots Assn. of California:

"Absolutely not. The helicopters . . . are used to serve the public in Los Angeles in some capacity or another. . . .

[The media helicopters] have come through as

lifesavers and suppliers of raw information and data to the public as well as to public agencies. Police and fire departments all have monitors who watch the different television stations. . . . The helicopters take off from Van Nuys along established routes that have been established to minimize the noises along the Van Nuys area."



Gerald Silver

Tony Lucente, president of the Studio City Homeowners Assn.:

"We are subject to intense helicopter activity in the early hours of the morning and in the summer months it continues into the wee hours of the morning with the tourist helicopters. . . . Virtually all the helicopters fly through Studio City on the way to the Cahuenga Pass to downtown Los Angeles. . . . We support every effort to curb this noise as an attempt to improve the quality of life in Studio City and the East Valley. . . . Nobody is saying, 'Let's shut these guys down.' We're saying there's some logical and reasonable alternatives."

Robert Jackson, chairman of the Van Nuys Airport Citizens Advisory Council:

"You already have a noise ordinance that's been in effect since 1981. . . . [Secondly] the helicopters are not flying at that time of night. That's a bald-faced fabrication. . . . The earliest helicopters don't start flying until a quarter to 6 in the morning. . . . The only ones flying at 1, 2, 3 or 4 in the morning are the police helicopters and the emergency helicopters.

". . . [And] helicopters don't come under the same noise guidelines as planes."

*On the Issue appears every Tuesday. Send suggestions for possible topics to the Valley Edition, Los Angeles Times, 20000 Prairie St., Chatsworth 91311. Or fax them to (818) 772-3338. Or e-mail them to valley@latimes.com.*

**Are you disturbed by  
helicopter noise?  
Act by Aug. 25, 1994**



# Now is the time to control low flying helicopters!

If you live near an airport that operates helicopters, you can do something to reduce helicopter noise. Stop the Noise! (Homeowners of Encino) has filed a Rule Change with the FAA regarding low flying helicopters. This Rule Change, published in the Federal Register on June 27, 1994, would require helicopters to follow the same minimum altitudes as does general aviation. The public has only 60 days to comment on the issue before the FAA makes a determination.

FAR 91.119 states that "except when necessary for takeoff or landing, no person may operate an aircraft ... over any congested area of a city, town or settlement, or over any open air assembly of persons, below an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft." However, helicopters may be operated at "less than the prescribed minimums as long as the operation is conducted without hazard to persons or property on the surface."

We believe that FAR 91.119(d), which controls helicopter flights, should be changed to eliminate this exception. If you agree, then write to the FAA at the address below, and support the proposed Rule Change.

**The helicopter noise problem** is growing worse. Helicopter noise affects millions of people every day. It disturbs sleep, interferes with telephone conversations, TV, and other activities. People have complained, news articles have been written, and meetings held by both resident and aviation groups seeking to address the helicopter noise problem. It is abundantly clear that additional measures must be taken by the FAA to mitigate the helicopter noise problem.

The FAA receives numerous complaints concerning low flying aircraft over noise-sensitive populated areas. The quiet of our national parks is spoiled by constant

helicopter sightseeing flights. You may be aware of the increased number of low flying helicopters in your community. Noisy sightseeing flights are conducted over residential communities, beaches, parks, national monuments, and even movie stars' homes.

Allowing helicopter operators to voluntarily avoid congested areas has failed. The long-standing exemption of helicopters from minimum altitudes is an anachronism that we can no longer live with. Helicopter operators seem oblivious to the resulting discomfort, inconvenience, and interference with the use and enjoyment of private property, and ignore the well-documented adverse affect on wildlife. The recent spectacle over the Los Angeles freeways during the O. J. Simpson chase involved dozens of low flying media helicopters that interfered with the police and endangered the public.

**Who operate these helicopters?** Flights over populated areas are conducted by companies who rent helicopters for sightseeing tours, particularly at night. Still others are used for real estate caravan "flybys" or to show homes to prospective customers from the air. Some helicopters are used for short distance business travel. Radio, TV, and other media use helicopters at all hours of the day and night to report on traffic, events, or to promote goods and services from the air. In all these cases, the helicopter exemption under section FAR 91.119 permits flagrant abuse of the public. The problem exists in any residential community where helicopters constitute part of the air traffic.

Understandably, helicopters operated by the police and fire departments, rescue operations, and the like, should be permitted to operate at less than the minimum altitudes, as long as such operations are conducted without hazard to persons or property on the surface.

**What can you do to help? Write to: Federal Aviation Administration, Ida M. Klepper, Airmen and Airspace Rules Division, 800 Independence Ave., Washington, DC 20591. Support the proposed rule change and ask that your comments be placed in: RULES DOCKET 27371. Your comments must be submitted in triplicate to the FAA by Aug. 25, 1994.**

Also contact members of homeowners groups, environmental organizations, and your neighbors--encourage them to write a letter of support.

## PROPOSED RULE CHANGE

Stop the Noise! (Homeowners of Encino) has requested the FAA to amend Section 91.119 of Part 91 of 14 CFR pertaining to minimum safe altitudes to strike out the following language in sub-section (d) thereof:

"(d) Helicopters. Helicopters may be operated at less than the minimum prescribed in paragraph (b) or (c) of this section if the operation is conducted without hazard to persons or property on the surface."

This amendment shall add the following language in place of that deleted above:

"(d) Helicopters. Helicopters operated by any municipal, county, state or federal authority for emergency services, rescue operations, police or fire protection, may be operated at less than the minimum prescribed in paragraph (b) or (c) of this section if the operation is conducted without hazard to persons or property on the surface."

SEE RULES DOCKET 27371

Please help us by sending a \$25.00 check to:

*Homeowners of Encino-Noise!*

P.O. Box 260205, Encino, CA 91426

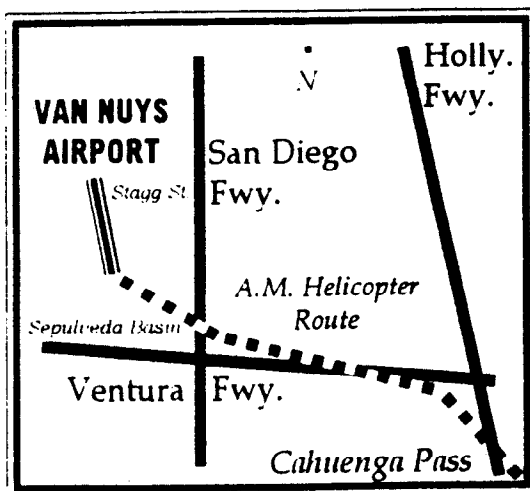
**WHAT RESIDENTS NEED  
TO KNOW ABOUT  
NOISY HELICOPTERS**

# Who is behind the barrage of helicopters that wake you up each morning?

You are sound asleep, it's five o'clock in the morning and you want another hour or so of rest. Then it begins! It starts as a distant rumble, then it grows louder and louder. You wake with a start as your sleep is interrupted by a low flying helicopter. Then a few moments later another noisy machine buzzes overhead. One after the other they keep coming. Forget getting any more sleep.

Where are these helicopters coming from? Why are they flying over my house? Are these emergency police or fire operations? Why do they consistently begin before six o'clock every morning?

Here are some facts about helicopter operations at Van Nuys Airport that explain what is going on. Van Nuys Airport is the major source of helicopter noise over the San Fernando Valley and Santa Monica mountains. This airport is the headquarters for most radio, TV, and media helicopters. Without the benefit of hearings, community meetings, or public notices, a major helicopter nuisance has grown up in our midst. Virtually every radio, TV station, and media outlet either leases or owns a helicopter; many take to the skies as early as 5:30 A.M.



**NO OTHER PART OF THE CITY** gets as much helicopter noise as neighborhoods near freeways. Helicopters depart Van Nuys Airport as early as 5:30 A.M., and fly over the San Diego/Ventura Freeway interchange. Then they fly down the Ventura Freeway, through Sherman Oaks, Valley Village, Studio City and the Cahuenga Pass to downtown. These operations are conducted only a few hundred feet above homes.

Electronic news gathering, traffic reporting and live helicopter broadcasts are big business. Millions of dollars of goods and services are advertised each year sandwiched between reports from helicopters. The media make the money but you pay the price. Sleep is interrupted, and the noise depresses your property values.

And if you aren't bothered by noise, you should be distressed by the danger lurking overhead. With so many aircraft buzzing around, there is an ever present danger of mid-air collision. The media should pool their coverage of accidents and traffic reports. Pool coverage creates fewer overflights, less chance of mid-air collisions, and unclutters the airspace for emergency police and fire operations.

**What can you do?** First, keep calling the Van Nuys Airport noise complaint line at (800)560-0010.

Fax in complaints using the noise

log(over). Contact your local councilmember at (818)756-8121. Ask the operator to connect you to your councilmember. Call Congressman Brad Sherman at (818)999-1990, and Congressman Howard Berman at (818)891-0543.

Demand curfews on early morning helicopter operations. Insist that minimum altitudes be established for helicopter overflights. At present, there are no minimums. Ask that other approved helicopter routes instead of "Basin South" departures be used to enter and leave Van Nuys Airport. Demand that helicopters fly in and out of the airport using the Stagg St. industrial route rather than over our homes. Insist that the Ventura Freeway corridor not be the major helicopter route through the Valley. Residents living near the freeways are already exposed to excessive noise.

You can also help by joining *Stop the Noise!*

Send a \$25.00 check to payable to:  
Homeowners of Encino-Noise

## HERE ARE SOME STATIONS THAT USE THESE EARLY MORNING OPERATIONS:

KTLA, Ch 5 TV      KABC, Ch 7 TV  
KCAL, Ch 9 TV      KTTV, Ch 11 TV  
METRO TRAFFIC  
TRAFFIC WATCH (Cessna 172)

*You may wish to boycott merchants or products that advertise on these early morning broadcasts!*

**For Immediate Release**  
**Tuesday 23 June 1998**

**Contact: Daniel Hinerfeld**  
**(213) 473-7005**

\* \* \*

## **FEUER SEEKS INCENTIVES TO LIMIT HELICOPTER NOISE**

\* \* \*

Councilman Mike Feuer introduced a motion today directing City staff to report on incentives for helicopter operators to cease flights between the hours of 10:00 p.m. and 7:00 a.m., and to fly more quietly.

"I want to see what our options are to limit this noise, particularly at Van Nuys Airport," said Feuer, whose district includes thousands of nearby residents. "The FAA makes it extremely difficult for us to impose a curfew on helicopters, so we need to find incentives that will help protect these neighborhoods from constant disruption."

Residents near Van Nuys airport are particularly frustrated with the early morning flights of news helicopters covering commuter traffic on the freeways. These flights typically begin at 5:00 a.m., and there are now twice as many helicopters covering traffic as there were ten years ago.

"Large news organizations may need their own helicopters to cover the news in Southern California, but detailed up-to-the-minute freeway traffic information is available from other sources," said Feuer, "including the Web site of State Department of Transportation. It's really not necessary to have multiple news organizations out there every day at the crack of dawn, but it does significantly degrade the quality of life near the airport."

Feuer's motion asks for a report within thirty days from the Chief Legislative Analyst, the Department of Airports, and City Attorney on possible incentives, including lower taxes and fees, that might encourage helicopter operators voluntarily to limit their operations and fly more quietly. The motion also asks for a review of how other cities of dealt with the problem.

A copy of the motion follows.

# National Helicopter Noise Coalition



*Dedicated to controlling helicopter noise*

December 31, 1997

Jane Garvey, Administrator  
Federal Aviation Administration  
800 Independence Ave. S.W.  
Washington, DC 20591

A Committee of-  
HOMEOWNERS OF ENCINO  
P.O. Box 260205  
ENCINO, CA 91426  
PHONE (818)990-2757

RE: FAA'S FAILURE TO PROPERLY ADDRESS HELICOPTER NOISE

Tens of thousands of residents across the country are impacted by noisy, low flying helicopters each day. Helicopters have become a serious noise and safety problem in many urban communities, as well as in our national parks. They create threats to safety because the FAA has failed to place minimum altitudes on their operations. [See Docket 27371-Homeowners of Encino]. Rotorcraft operations create health problems, air pollution and interfere with children learning in schools.

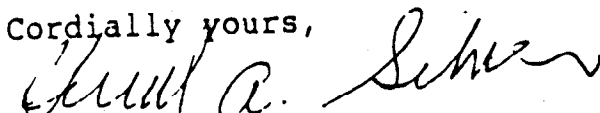
As responsible citizens we recognize the need for helicopters with their unique capabilities. Most residents do not object to emergency, life-saving helicopter flights, essential law enforcement activities, fire fighting operations, etc. However a vast number of helicopter operations actually involve sight seeing, media, radio-TV, traffic reporting and training over urban areas.

The FAA cannot continue to ignore this issue. Each year more and more helicopters negatively impact an increasing number of residents, school children, hikers, park attendees, etc. We call upon the FAA to address this problem promptly and honestly.

We were particularly distressed to read the remarks of Arlene Feldman FAA's Eastern Regional Administrator in the December 1, 1997 issue of Aviation International News. The story on page 76/77 discusses the noise problems in the NYC area and the way the helicopter industry is organizing to fight communities. Ms. Feldman advises the helicopter industry to "come forward," and to "speak to elected officials" in order to protect industry interests.

We believe that these remarks were ill-advised, and show a blatant industry bias. They are highly objectionable to residents who are annoyed by helicopter noise. The FAA has joint responsibility to treat both the industry and residents even-handedly. Please discuss this matter with Ms. Feldman. Explain the importance of protecting communities from the excesses of helicopter operations and the need to respect the rights of residents.

Cordially yours,

  
Gerald A. Silver  
President-Homeowners of Encino

cc: Congressional delegation

## MOTION

The Van Nuys Airport is the busiest general aviation airport in the world and the sixth busiest airport in the United States, with over 500,000 takeoffs and landings per year. The Airport plays a fundamental role in the Valley's economic vitality, employing hundreds of workers and supporting thousands more in surrounding businesses. It is an essential component of City Police and Fire Department operations, as well as a transport center for emergency medical flights. In addition, the Airport is a base for news helicopters covering breaking stories and routine commuter traffic.

Although the Airport plays a vital role in the region's economy and public safety efforts, for years local residents have demanded that the City institute policies designed to mitigate the noise generated by jets and helicopters flying in and out of Van Nuys.

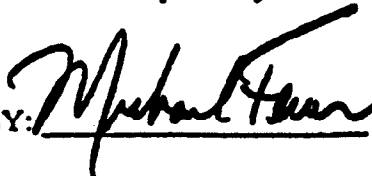
Of particular concern to residents in the Airport's surrounding communities is the early morning operation of news helicopters covering automobile commuter traffic on the freeways, beginning at 5:00 a.m. each morning. The number of such aircraft covering routine morning traffic news has more than doubled over the past ten years. It is now common for television and radio news stations to each employ their own individual aircraft in order to patrol morning freeways and make their reports from the skies.

The City recognizes and values the ability of local news media to use helicopters in their coverage of regional stories. However, alternative technology now readily exists that offers up-to-the-minute and lane-by-lane coverage of freeway traffic without the need to use helicopters. As an example, the California State Department of Transportation, in partnership with private enterprise, offers illustrated, real-time freeway traffic data on the Internet that could replace helicopters as a tool for gathering traffic information. Online traffic reports include exact vehicular speeds, maps detailing congested areas, Metro Line and Metrolink information, and California Highway Patrol incident reports. As an alternative to daily helicopter coverage, Internet coverage offers less noise, has no environmental impact, and is free of cost.

The City currently is preempted by the authority of the Federal Aviation Administration (FAA) from imposing the 10:00 p.m. to 7:00 a.m. curfew period on helicopters flying in and out of Van Nuys, as it currently employs on fixed-wing aircraft. It is therefore necessary for the City to explore incentives to reward helicopter operators, and/or the businesses that employ them, that adhere to the 10:00 p.m. to 7:00 a.m. curfew hours and in other ways "fly friendly", thereby increasing the quality of life for residents in the vicinity surrounding the Van Nuys Airport.

I THEREFORE MOVE that the Chief Legislative Analyst and Los Angeles World Airports, with the assistance of the City Attorney, report back to Council in thirty days with: (1) recommendations on possible incentives, including but not limited to, lower taxes and fees, for helicopter operators that refrain from operations between the hours of 10:00 p.m. and 7:00 a.m. and/or utilize noise mitigating engine types, flight paths, and altitudes; (2) recommendations on how to structure an incentive program for news media and other helicopter users that would discourage use of Van Nuys Airport between the hours of 10:00 p.m. and 7:00 a.m.; and (3) a review of what incentive programs have been studied and/or implemented by other cities, and whether these programs have been upheld by the FAA.

PRESENTED BY:



SECONDED BY:





ANGELES CHAPTER · SIERRA CLUB

3345 WILSHIRE BOULEVARD · SUITE 508 · LOS ANGELES · CALIFORNIA 90010 · (213)387-4287 · FAX(213)387-5383

October 30, 1997

ATTN: Tom Henry, Planning Deputy  
Office of Councilman Joel Wachs  
Los Angeles City Hall  
200 North Spring Street  
Los Angeles, CA 90039

RE: IMPLEMENTING PART 161 PROCEDURE TO CONTROL HELICOPTERS

Dear Tom Henry:

The Sierra Club's Angeles Chapter has 50,000 members, mostly residing in Los Angeles County, concerned about protecting and enjoying the natural environment. For more than 25 years, the Sierra Club has had policy concerned with the mitigation of noise pollution. Our policy is that aircraft noise in particular needs immediate mitigation, owing to its far-flung intrusiveness of noisy impact, in settled areas as well as in wild or natural areas.

Specifically, the noise pollution from low flying helicopters has for at least several years been a source of Chapter concern. We have unsuccessfully attempted to get the FAA to mitigate this concern through raising the altitudes. Many meetings have been held, many letters written, as you know, about these issues.

Therefore, we urge and expect the City to also move forward expeditiously on that part of the motion passed in Council in mid-September concerning Van Nuys Airport, and which called for a curfew not only on jets but also helicopters. The motion did call for commencing the Part 161 procedure in that regard.

Though heartened by the overall motion, we are disappointed to hear that the Part 161 procedure for helicopters has not yet begun. Being a lengthy procedure, (but not especially time consuming at the outset), the Sierra Club sees no reason for further delay. The relief needed is long overdue.





Please start the procedure now. It will take long enough as is. Please let me know how the Sierra Club can be helpful in advancing final resolution of this aspect. I would be pleased to discuss this further with you, and will be calling you in that regard.

Most sincerely,

*Dick Hingson*

Dick Hingson  
Conservation Coordinator

cc: ✓ Jerry Silver, STOP THE NOISE!  
Lisa Ellman, Office of Rep. Henry Waxman

  
**HOME****of Encino**◆ *Serving the Homeowners of Encino* ◆

GERALD A. SILVER  
President  
PO BOX 260205  
ENCINO, CA 91426  
Phone (818)990-2757

# **NEWS RELEASE**

December 15, 1996

## **HINSON DENIES HOMEOWNERS OF ENCINO'S PETITION FOR HELICOPTER MINIMUM ALTITUDE RULE CHANGE-- RECONSIDERATION FILED WITH PRESIDENT BILL CLINTON**

On October 31, 1996, David Hinson, FAA Administrator, denied a petition for reconsideration filed by Homeowners of Encino that would establish a 1000' minimum altitude for helicopters flying over congested areas. Homeowners of Encino's petition for reconsideration was filed after the FAA denied the original petition that would protect communities from low flying helicopters.

The petition was denied in a ruling that lacked substance and depth, said Gerald A. Silver, President of Homeowners of Encino. Silver condemned the slow and inadequate response of the FAA to his petition. Homeowners of Encino has since filed a motion for reconsideration with President Bill Clinton on December 3, 1996. This reopens the issue and brings the matter before the President of the United States.

Silver believes the denial deserves a reconsideration by President Clinton and merits the issuance of an Executive Order, mandating that the FAA issue a regulation establishing a 1000 ft. minimum altitude for helicopters operating over congested areas with exemptions for any municipal, county, state or federal authority operating a helicopter for emergency services, rescue operations, police or fire protection.

"In denying Homeowners of Encino's petition, the FAA has consistently taken a narrow view of the helicopter noise and safety problem", said Silver. It rejected the group's argument, suggesting that low flying helicopters are a local problem that requires a local, rather than national solution. This decision fails to recognize the vast number of residents, from Hawaii to New York, who are impacted daily by helicopter noise and safety problems, said Silver.

By taking an atomistic view of the issue, the FAA ignored the broad and significant impacts of low flying helicopters over populated areas. In effect the FAA did not see the forest for the trees. Had the FAA viewed the problem as a national issue, impacting millions of Americans from, it would have granted the petitioner's request.

The hundreds of letters from government officials, private citizens and representatives of homeowner associations from across the country attest to the compelling public necessity for establishing helicopter minimum altitudes. Homeowners of Encino

(Over)

made available to the FAA a petition that included over 2000 signatures of individuals greatly disturbed by low flying helicopters. In addition, the docket contained hundreds of letters from individuals from both rural as well as urban areas that support the proposed rule change. These citizens, municipalities, and community organizations represent a compelling argument for seeking relief from low flying helicopters.

The petition filed by Homeowners of Encino is supported by Congressmen Beilenson, Berman, Waxman, Los Angeles Mayor Richard Riordan, and dozens of elected officials, municipalities and homeowner associations.

Silver said Hinson failed to perform a reasoned determination of the facts and issues in his petition. Hinson's denial was conclusionary and lacked the paper trail, documentation and specific facts that would allow a reasonable person to assess the costs and benefits of the proposed rule change.

"It is painfully obvious that Hinson avoided the FAA's mandated responsibility to do a careful assessment, and instead responded with a pro-industry denial. No considered reasoning, logic or determinations were evident in the denial," said Silver.

The issue of helicopter noise, safety, and minimum altitudes is of vital interest and concern to a large segment of the population. The FAA did not conduct hearings on the subject of the petition, nor did it seek important comment from the National Transportation Safety Board. Hinson relied upon a few self-serving objection letters received during the comment period from helicopter operators, continued Silver.

He said that without a rule change specifying minimum altitudes, the public is unprotected from the noise and safety hazards of low flying helicopters. At the present time, there are no minimum altitudes for helicopters. Pilots can fly at any altitude they deem safe, regardless of the noise and other environmental impacts on residents.

Homeowners of Encino encourages elected officials, individuals and organizations to write letters in support of the petition for reconsideration. Letters should be addressed to: President Bill Clinton, Attn. Sue J. Smith, Director, Legislative Affairs Office, Agency Liaison, Room 6, OEOB, White House, Washington, DC 20500. Fax (202)456-2461.

All letters, faxes and comments should refer to Docket No. 27371. Silver asks that a massive amount of letters, faxes and phone calls be made to President Clinton, in order to send the message that the rights and concerns of those on the ground matter as much as those of media or sight seeing helicopters.

Homeowners of Encino is a sponsor of the Stop the Noise! Coalition and the National Helicopter Noise Coalition!

###

# The Media Circus Maximus

With the O.J. Simpson affair, the TV news media finally has assumed its logical mantle as the leader of the pack—the pack of news media “jackals.” This clear leadership was accomplished with the aid of the technology found in any TV newsroom and news vehicle in every major TV market in the country. If O.J. Simpson had committed suicide as many feared, it could be blamed on only one factor, according to his doctor and lawyer—the extraordinary crush of the news media on Simpson.

Where do you start in creating a “true bill” of TV news media irresponsibility?

1. Do you start with the crush of TV remote trucks on a quiet residential street in the Los Angeles suburb of Brentwood, one that reminded an observer of “Hitler’s Panzers” going through Poland in the 1939 Blitzkrieg? This spectacle has continued ad infinitum (or is that ad nauseum?) as both the prosecution and defense “try” the case in front of hundreds of cameras and microphones.

2. Or do you prefer the squadron of TV news helicopters, some painted like military “spook” gunships, dodging as many as eight law enforcement helicopters—all chasing a white Ford Bronco that Simpson was in while holding a gun to his own temple? This chase in the air through 50 or 60 miles of Los Angeles was paralleled on the streets as Simpson was pursued through the freeways by a phalanx of L.A.P.D. squad cars—themselves followed by a column of news vehicles that best resembled Patton’s Third Army racing to the Rhine.

3. Or do you like reporters on local channels in Los Angeles (and carried live nationally on CNN) matter-of-factly explaining how they monitor many of the L.A.P.D. transmissions and routinely follow police cars about the city on occasion?

4. How about the several hundreds of TV news personnel whose on-air efforts clearly identified the final location of

Simpson—cornered, suicidal, armed and surrounded by hundreds of police. That attracted thousands of Los Angeles citizens, who came to the residence of the sports figure and actor, to maintain a vigil and create a carnival atmosphere that could best be described as “reminiscent of a ‘Dog Day Afternoon’ street scene” by one critic.

5. Do you prefer the TV media monitoring cellular phone conversations in hopes of picking up some juicy tidbit or monitoring the closed-circuit transmissions of their local and national TV news competitors for the same reason?

6. Why not accept the TV helicopters hovering so low over the Brentwood, CA, Simpson residence and the white Ford Bronco at the end of the freeway chase, that the ability of police to communicate by voice with the suicidal Simpson and his friend was badly corrupted by helicopter noise? The police had to wave the L.A. TV news “air force” off and threaten to call in the Federal Aviation Administration!

7. And last, but not least, the veritable “sluice gate” of “leaks” to TV news operations from within the L.A.P.D. and the Los Angeles county criminal justice system, constantly referred to over several days preceding the arrest and the several days afterwards. Clearly, many news personalities worth their salt had suborned some member or members of law enforcement for personal on-air gain.

That is but a “sampler” of media behavior beginning with the week of June 13-17, 1994, in Los Angeles. According to informed sources, the TV station news technology used was truly mind-boggling. There were cellular phone receivers, satellite transmitters and dishes and receive downlink stations. There were more satellites committed to covering the bizarre and grisly episode than were used in the Jimmy Carter mission to defuse a potential nuclear confrontation with North Korea.

There were police scanners, and (according to here-and-fare reliable sources) home-brew descramblers to allow news media to eavesdrop on especially sensitive police conversations.

There were TV news helicopters equipped with military style low-light night vision equipment and cameras and new videographers using ultra-compact video gear. Portable 1. machines were pressed into service to disseminate confidential correspondence from virtually anyone who had any contact of any kind with O.J. Simpson.

Laser and point-to-point microwave transmission systems were used as well as a broad range of surveillance microphones. Digital video was very much in evidence. A close observer of the Simpson process who has “been there” opines “that there were more intelligence-gathering video news units here than we had when the U.S. troops landed in Somalia.”

This is not to say that there were not any TV media journalists sensitive to the TV “circus maximus” and the effect could have on a suicidal Simpson. ABC’s Peter Jennings especially stood out for his deportment and for speaking about the unbelievable behavior of some of his colleagues on the television press.

Now, here is the bottom line. It is equally easy in this case to dismiss all that happened as “it’s Los Angeles.” But it would not be an honest appraisal. The problem is that with telecommunications and televideo capability of today’s satellite remote trucks, newsroom monitoring facilities, DSP suites, helicopters and news post-production, we have finally evolved the art form most suited to cover the gladiator tests in ancient Rome.

The last question here may be the toughest answer. Has TV news gathering, by becoming obsessive with this story taken away the suspense right to a fair trial? At press conference at

Parker Center headquarters of the Los Angeles Police Department, after Simpson’s arrest and booking, there were 27 microphones on the podium and three “press patch” audio feeds. Subsequent prosecutorial and defense press conferences have even exceeded those numbers.

The case has already been exposed in all its intricacies to the entire world. It has been tried by the electronic press including arguments by both the prosecutors and the counsel for the defense—in contrast to the legal canons, if not in a violation thereof.

The TV news van has come that much closer, at least Los Angeles, to being judge, jury and executioner.

## “Has TV news gathering taken away the suspect’s right to a fair trial?”

### BACKTALK

Martin  
Palon





COUNCILMAN  
**MARVIN BRAUDE**  
Eleventh District

Los Angeles, CA 90012  
213-435-3811

Relief Office  
17547 Ventura Boulevard  
310-556-8150

West Los Angeles Office  
1645 Corinth Avenue  
310-575-8461

Mark L. Gerchick, Chief Counsel  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

October 11, 1995

Attn: Rules Docket 27371

Dear Mr. Gerchick:

It is my strong desire to provide the greatest relief possible to my constituents who are negatively impacted by the excessive noise of helicopters flying or hovering over their residences. For this reason, I truly regret that the Federal Aviation Administration did not approve the Rule Change filed to amend Section 91.119 of Part 91 of 14 CFR pertaining to minimum safe altitudes. I am therefore writing once more to support that change.

As I stated before, the City of Los Angeles, particularly the district in which I serve, continues to be inundated with intolerable, invasive, noisy, low-flying helicopter flights. Along with the hovering TV News helicopters, my constituents have to put up with early morning low-flying traffic reporters as well as low-flying dinner/sightseeing flights.

I feel strongly that the FAA should set a minimum altitude for helicopters operating over congested areas. You could raise the minimum level and still maintain a safe separation between helicopters and fixed wing aircraft. I do not ask that these standards apply to police, fire or any other emergency helicopter operations. However, I urge you to consider the safety of the community by approving this rule change as soon as possible.

Thank you for your attention to this matter. I look forward to receiving your response.

Very truly yours,

MB:jh

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0524**

WOODLAND HILLS OFFICE:  
21031 VENTURA BOULEVARD 91364-6401  
(818) 999-1990  
(805) 496-4333  
FAX (818) 999-2287

October 2, 1995

Mark L. Gerchick, Chief Counsel  
Federal Aviation Administration  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Attn: Rules Docket 27371

Dear Mr. Gerchick:

I regret that the Federal Aviation Administration did not approve the Rule Change filed by Homeowners of Encino to amend Section 91.119 of Part 91 of 14 CFR pertaining to minimum safe altitudes, and I am writing again in support of that change.

Our past correspondence emphasized the excessive noise of helicopters that is a serious and consistent problem for many of the residents of the district I represent. While that problem caused by low flying helicopters has not changed in the least, we think it is also important that you understand the potential serious safety hazards caused by these aircraft.

The FAA should consider the prospect of serious injury or possible death to those on the ground due to the rapidly increasing use of media helicopters over accident and crime scenes. Live television coverage of such catastrophe and tragedy has become a pervasive part of the life of Los Angeles residents, and any action you can take proactively that would prevent and avoid additional trauma is essential.

In addition, we bring your attention to the use of helicopters for tours and sightseeing; these appear to fly at the lowest level possible and are a constant danger. We are seriously concerned that all the non-emergency uses of helicopters are endangering the safety not only of residents, of children in schools and others on the ground, but also of the passengers.

We feel strongly that it simply makes good common sense for you to approve a minimum altitude for helicopters flying over congested areas. We are not asking you to apply this to police, fire, or other emergency helicopter operations--we realize the need they have to fly at low altitudes. We remain committed, however, to raising the minimum altitude for non-essential helicopters because of the substantial safety hazards involved, and urge the FAA to approve this rule change as soon as possible.

Thank you for your time and attention to this matter. We would appreciate your keeping our office informed of the status of our request and of your action on this proposed rule change.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Beilenson". The signature is fluid and cursive, with a long horizontal stroke at the end.

ANTHONY C. BEILENSON  
Member of Congress

ACB:srm

cc: Homeowners of Encino

CONSULTANTS  
John R. Stevens  
Principal  
COMMITTEE SECRETARY  
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**Assembly  
California Legislature**  
**ASSEMBLY COMMITTEE ON  
TRANSPORTATION**  
RICHARD KATZ  
Chairman

Marilyn Brewer  
Robert Campbell  
Dominic Cortese  
Susan Davis  
Martha Escobar  
Brooks Firestone  
Jan Goldsmith  
Brett Granlund  
Dan Hauser  
Pete Knight  
Kerry Mazzoni  
Bill Morrow  
Grace Napolitano

September 25, 1995

Federal Aviation Administration  
Office of the Chief Counsel  
800 Independence Ave., S.W.  
Washington, D.C. 20591

ATTN: RULES DOCKET NO. 27371

The FAA has agreed to reconsider the request of the Homeowners of Encino to establish a 1000' minimum altitude for helicopters flying over highly-populated and congested areas of the San Fernando Valley, and the Los Angeles area in general.

I remain in strong support of this request and urge your favorable action specifically for safety reasons.

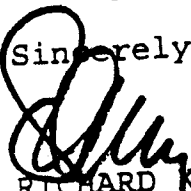
The state Assembly Transportation Committee regularly receives reports of helicopter crashes in California, and virtually every one is the result of a helicopter flying at low altitudes and striking other aircraft or obstacles such as high-voltage power lines.

These accidents not only result in passenger and pilot fatalities, but also endanger residents that live and work in densely-populated urbanized areas over which the helicopters fly.

Other than for emergency purposes or for take-off and landing operations, the Committee has yet to hear of any public good or purpose that is served by allowing helicopters to fly at altitudes lower than 1000' in these areas.

Please act now to curtail helicopter operations below 1000'.

Sincerely,

  
RICHARD KATZ, Chairman  
Assembly Transportation Committee

RK:jsa

cc: Gerald Silver ✓



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DAN FLYNN  
LEGISLATIVE CONSULTANT

# California State Senate

**HERSCHEL ROSENTHAL**

20TH SENATORIAL DISTRICT

CHAIRMAN

SENATE COMMITTEE ON INSURANCE

September 19, 1995



COMMITTEES:  
INSURANCE CHAIRMAN  
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NORTHWOOD EARTHQUAKE CHAIRMAN  
WOMEN IN THE WORKFORCE  
JOINT COMMITTEES:  
OVERSIGHT COMMITTEE ON  
LOWERING THE COST OF  
ELECTRIC SERVICES

Mr. David Hinson  
Federal Aviation Administration  
Office of the Chief Counsel  
Attn.: Rules Docket No. 27371  
800 Independence Ave., S.W.  
Washington, D.C. 20591

Dear Mr. Hinson:

As State Senator representing the San Fernando Valley, the number of complaints I have received over the last few years concerning flights out of Van Nuys Airport have increased dramatically. There are numerous communities and hundreds of thousands of residents impacted daily as a result of aircraft originating from this airport. The air space above this region is crowded, not only with small and large planes, but with a barrage of helicopters used for private, charter, tour, and corporate flights as well as the frequent media helicopters from Fox TV, KTLA, KFWB Radio and Air Watch among others.

Because there are no height restrictions for the helicopters the noise levels are excessive. Further, as a safety issue, the potential for an aerial disaster over a residential area is escalating. There must be some restrictions placed on the number of non-emergency helicopter flights out of and into this airport. Van Nuys airport is used as a launch site for all day media freeway traffic reports and the numerous helicopters are always at the ready to follow the latest car chase or any police coverage that might make good film footage for the evening news. In a city like LA you can understand how frequently and in what numbers these helicopters are in the air.

Mr. David Hinson  
September 19, 1995  
Page 2

The purpose of this letter is to ask that the Federal Aviation Administration approve the rule change to increase the minimum altitude for helicopters and to limit the number of non-emergency helicopters flying over residential areas to reduce the risk of an air disaster.

Sincerely,

Herschel Rosenthal  
Member  
California State Legislature

HR:lsj

July 23, 2000

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OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET  
2000 AUG -1 P 2:17

Rules Docket  
Docket No. 30086  
800 Independence Ave., SW, Room 915H  
Washington, DC 20591

Dear Sirs,

In response to your inquiry about noise management and reduction, I would like to offer my comments. I hope they are not too late for consideration, as I just learned of your request on Friday.

I live a mile from our local airport, which handles non-commercial flights and small plane activity, as well as helicopters. In the 26 years I have lived at this address, I have seen the number of helicopter flights increase from an occasional event to multiple occurrences, sometimes as many as 6-8 per hour for several hours, depending on the day. As my house is two blocks from the recommended flight path for helicopters flying west, this increased activity means that some days we are subjected to the drone of helicopter noise for a large percentage of the time. Indeed, helicopter noise is much more prevalent and intrusive to us than airplane noise in its impact on the peace and quiet of our home and has definitely had a detrimental impact on our quality of life.

We have a particular situation here in that Robinson Helicopter, a manufacturing company, is located adjacent to the airport and uses the airport for its test flights, which often fly past our house to the ocean, only to return three minutes later, multiple times in an hour. These test flights account for a large part of the increase in activity at our airport. In order to keep this increase down to a tolerable level, it would be helpful if any given operator could be restricted as to the number of flights it could initiate in the same direction in a particular period of time, perhaps one an hour. Flying at a higher elevation would also reduce noise levels. We also have in Torrance an agreement, signed by the airport, the FAA and several local operators, including Robinson, that helicopter flights be over major thoroughfares, specifically Pacific Coast Highway going west. An additional problem we have is that anywhere from 30 to 70 percent of these flights drift south from that pre-established path, which brings them closer to our house, within 100 to 150 feet on some occasions. Since there is no real arm for enforcement of this agreement, it is left up to the companies and their pilots to adhere to the restrictions, which does not always occur.

I am not a mechanical engineer and have no way of knowing if there are any mechanical ways to reduce helicopter noise. I presume such methods are being looked into by qualified persons. What I can see that would help would be to restrict the amount of flights and try to have repetitive test flights occur over the commercial areas around the airport rather than over the residential areas to the south and west.

I hope that some efforts will be made by the FAA to restore the quality of life of residents around airports where increased helicopter activity has occurred. Establishing requirements, rather than recommendations, would be a step in that process, as would the creation of some system for requiring compliance.

Thank you for receiving these comments.

Sincerely,



Ann Bosma  
4066 Bluff St.  
Torrance, CA. 90505

**HOWARD PERRY BECKMAN**  
**ATTORNEY AT LAW**

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July 22, 2000

(31)

U.S. Department of Transportation  
Federal Aviation Administration  
Office of Chief Counsel  
Room 915H  
800 Independence Ave. S.W.  
Washington, D.C. 20591

**Public Comment on Regulatory Docket 30086**  
**(Helicopter Noise)**

2000 AUG - 1 P 2: 16  
OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET

The following comments are submitted in triplicate in response to the FAA's request for public comment issued June 16, 2000 and published in the Federal Register.

**Public Notice**

Given the ubiquity and severity of the helicopter noise problem in the United States, the FAA should have provided greater public notice and a longer period for public comment. The FAA has known of the requirement to prepare a report to Congress on helicopter noise since the enactment of FAA Authorization Act earlier this year. Soliciting public comment in mid summer, when most ordinary citizens are not likely to get word, is appalling.

**Types of Helicopter Operations Producing Unreasonable Noise**

I live near a general aviation airport, the Hayward Executive Airport (HWD). In past years helicopter operations were minimal and relatively nonintrusive. The growth in helicopter operations for touring, commuting, alleged "news" gathering, police work, and associated training of pilots has created an alarming increase in noise for those living near small airports. The complete failure of FAA regulations to address the noise impacts of helicopter operations has aggravated the noise impact on residential communities.

Redundant activity. I live within viewing distance of a segment of a major freeway where accidents are frequent. When accidents occur I have seen as many as four helicopters hover

/Continued

at low altitude over the accident scene: two television broadcaster aircraft and two police agency aircraft. The hovering at such scenes typically persists for half an hour to 45 minutes. Friends who live near this segment of freeway say the prolonged presence of the helicopters precludes normal in-home conversation, TV or radio listening, telephone conversation, or concentration on reading matter.

Pilot training. The world's largest helicopter pilot training school (Helicopter Adventures, Inc.) exists at a general aviation in Concord, California. Student pilots frequently fly to the Hayward airport (and other general aviation airports) to conduct touch-and-go flying. In addition, pilots of helicopters based at Hayward (police and medical emergency aircraft) conduct touch-and-go training. Such training flights have occurred on weekends as early as 8:30 a.m., and as sustained as all day (early morning to 7 p.m.), every day, for an entire week. Unlike the noise from fixed-wing aircraft flying touch-and-go, the noise from helicopter touch-and-go operations is nonstop. The rotor blade speeds of aircraft on the ground are maintained at virtually the speed of flight; the aircraft do not come and go every several minutes, like fixed-wing aircraft; and the noise emitted from helicopters is qualitatively significantly different from that of fixed-wing aircraft -- much more aggravating because of the lower frequency.

Routine patrolling by police. Early last year the Alameda County sheriff's department purchased a helicopter and immediately put it into operation in unincorporated areas of the county (such as San Lorenzo, where I live). I discovered, through observation and conversations with officers responsible for the helicopter, that the helicopter was being used for routine patrolling at night (at low altitudes), in the same way that officers in ground vehicles patrol the streets. This routine patrolling created unwarranted noise late at night. Because of complaints from residents, the sheriff's department stopped using the helicopter for routine nighttime patrolling.

Airport traffic patterns. Those of us who live near the Hayward airport are subjected to frequent arrivals and departures of helicopters at the airport; these aircraft invariably fly at very low altitudes directly over homes near the airport, particularly when arriving. The pattern of helicopter arrivals suggests that pilots fly the most direct route into their airport bay without regard to air traffic patterns because they can (unlike fixed-wing aircraft).

### **The Regulatory Approach to Fixed-Wing Aircraft is Inappropriate for Helicopters**

Helicopters have a flexibility in flight that fixed-wing aircraft do not, and it is just this flexibility that makes helicopters particularly useful for certain purposes. At the same time, this flexibility creates special noise circumstances. Helipads can be, and are, built on rooftops of office buildings and hospitals. The annual-average Ldn metric is completely useless in measuring the noise impacts of helicopters at a facility other than an airport because, whereas airports exist for aircraft and therefore the noise from aircraft is to be expected, helicopter use of areas outside airports is not normal and therefore the noise

/Continued

impacts are extraordinary. Thus, fundamental assumptions underlying the Ldn are inapplicable to helicopter facilities outside airports.

In addition, because the noise emitted from helicopters is qualitatively different than that of fixed-wing aircraft (either propeller or jet engine), in that it is longer-lasting and lower frequency, the A-weighted decibel is inappropriate for modeling human exposure to helicopter noise. The A-weighted decibel specifically excludes the low-frequency noise characteristic of helicopters.

The combination of annual averaging (Ldn) and use of the A-weighted decibel by the FAA trivializes the impact of helicopter noise on humans.

### **New Regulations Are Necessary**

The failure of the FAA to adopt minimum altitudes for helicopter flight over populated areas is unconscionable. Because of their noise qualities, helicopters should not be permitted below an altitude that will ensure the reasonable tranquility of populated areas.

Helicopters should have "N" numbers that are more visible than at present.

Noise standards specific to helicopters must be adopted, and older (noiser) helicopters phased out in the same way as commercial jet aircraft.

The imminent mass use of helicopters for a variety purposes, and the attendant assault on the quality of life in populated areas, requires that the Congress consider what are appropriate uses of helicopters in populated areas. While the concept of a "national air transportation system" requires that the airspace above a certain altitude be considered public domain, this concept cannot be extended to helicopter traffic without eventually seriously degrading the quality of life on the ground below. The airspace within hearing distance cannot be allowed to be a "free zone" in which the adverse consequences of activity are not proscribed -- when my neighbor drives on the public street in front of my house, he is not free to drive with "boom boxes" cranked up to a volume that disturbs me personally and causes my windows to vibrate.

Helicopter operations are entirely local, and do not constitute a "national system". Local jurisdictions -- cities and counties, or regional bodies -- should be permitted to establish controls over helicopter uses. However, policy decisions on permitted uses of the airspace cannot be left to an administrative agency dedicated to promoting aviation, but must be imposed by the Congress, which is better able to weigh the public interest.



cc: Rep. Pete Stark, U.S. House of Representatives

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OFFICE OF THE  
CHIEF COUNSEL  
RUBEN SNOOKET

Testimony on Docket #30086/Report to Congress on Effects of Nonmilitary Helicopters on  
Individuals at Densely Populated Areas in the Continental United States

2000 AUG -3 A 10: 21

Submitted by: **Diana Schneider, a Public Member of Community Board 7**  
PO Box 805, Midtown Station, New York, NY 10018  
phone/fax contact: 212/724-3062  
email: [snugharbourtours@worldnet.att.net](mailto:snugharbourtours@worldnet.att.net)

Thank you for requesting public comments on this urgent issue. Firstly, I would suggest that you coordinate with the Government Accounting Office in conjunction with their airport/aviation study. Also, that a Community Advisory Council be created to work in conjunction with the FAA on this study project. Government, Community and Citizens familiar with the noise issues of helicopters should be included.

This problem needs to be documented nationwide counting helicopters in airspace and at the heliports. New York City has never made an accurate count of helicopters in its airspace. This is badly needed. Definitive helicopter routes are needed. Noise contour maps need to be created and noise monitored at homes, parks, business areas and heliports.

To better comprehend the severity of the issue, your organization needs to survey the literature about what is known concerning aircraft/helicopter noise and the impacts on people. Please see Needless Noise, the NRDC study.

A pilot study should be conducted in New York City on the impacts of helicopter noise on those living/working under same designed with scientists who are skilled and have background in this area such as: Dr. Arline Bronzaft, Gary Evans and Norall Stewart.

In accordance with your request for public input on the above issue, in response to your specific questions, I wish to submit as follows:

- (1) Types of helicopter operations that elicit the negative response by individuals in densely populated areas - all--it's not the mission they are on but the noise that they create (and unbridled carcinogenic pollution as well)
- (2) What air traffic control procedures are applicable in addressing helicopter noise reduction?  
Why?  
minimum altitudes of 1,500 ft. and over - lessens severity of sound impacts  
no hovering permitted - lessens intensity of sound impact over one area
- (3) What impacts could restrictive air traffic control procedures have on operations of:  
Law enforcement helicopters - encourage higher altitude flying; and flying only in response to specific incidents  
Electronic news gathering (ENG) helicopters? - forbid flying in search of stories:  
permit helicopter flights only on assignment of "specific story in progress"  
coverage; mandate minimum altitude of 1,500 ft.; mandate specific time limits on any hovering; work toward "no hovering" whatsoever (use of stationery cameras such as jam cams often incredibly effective and an excellent substitute; i.e. coverage of traffic conditions on George Washington Bridge can be effectively covered by stationery jam cams positioned on the Bridge itself)

ENG helicopters have been known to hover for hours for only 30-45 seconds  
foot of TV footage; mandate "no hovering" over parades/events

Mandate pooling requirements by ENG firms so that only one station does actual helicopter flyovers and shares information with other stations. (This was offered to several stations by HBO regarding the Garth Brooks' Concert held in Central Park; but the stations individually chose instead to each send one helicopter, each of which hovered over the other for over six hours so that the entire neighborhood sounded like a war zone well into the night!! This is unconscionable!!)

**Testimony on Docket #30086/Report to Congress on Effects of Nonmilitary Helicopter Noise on Individuals at Densely Populated Areas in the Continental United States**

**Submitted by: Diana Schneider, a Public Member of Community Board 7**  
**PO Box 805, Midtown Station, New York, NY 10018**  
**phone/fax contact: 212/724-3062**  
**email: [snugharbourtours@worldnet.att.net](mailto:snugharbourtours@worldnet.att.net)**

page 2

Sightseeing tour helicopters: mandate minimum altitude of 1,500 ft., flight paths only over the center of wide rivers; forbid crossing over land at "any" point even on "tourist" charter flights; limit times permitted for sightseeing flights to weekdays between 12:00p-5:00p; forbid "any" weekend tourist helicopter flights. No night flights.

Emergency medical services (EMS) helicopters--for genuine life threatening, life saving emergencies only exceptions may be made as incidence occurs

Corporate executive helicopters - should be made to adhere to same guidelines as other helicopters above mentioned; also no flights after 6:00pm should be permitted and no weekend flights whatsoever permitted; corporate helicopters must likewise fly at a minimum altitude of 1,500 ft and adhere to published helicopter routes; corporate helicopters should not be permitted to criss cross city residential areas but fly the most direct route to their destination

**(4) Recommended solutions for the reduction of the effects of nonmilitary helicopter noise:**

ground based operating restrictions for heliports

noise abatement procedures for flyovers and take off and landings

helicopter identification readable from the ground (so we are able to report those helicopters who transgress the regulations)

noise metric data should not be based on averages but on single event measuring that includes the effects of low frequency noise

only stage 3 helicopters should be permitted to fly in airspace

FAA should consider increasing the regulated air space to include over the Rivers and Southern Manhattan

FAA should release New York City from the grant assurance requirements of open access at the Downtown Manhattan Heliport until 2007 so that the City can ban any tourist helicopters from taking off there

In short, New York City is a very unique situation given the massive overflights of helicopters. I am a member of C. Virginia Field's (our Borough President) Helicopter Task Force. We have had helicopter complaints from residents in Brooklyn, downtown Manhattan, Chelsea Manhattan (in the West 20's), Westsiders in the 40's, 50's, 60's, 70's, 80's, 90's (Streets), people walking by the Hudson River or in our parks; now neighbors on 106th Street and in the Bronx Yankee Stadium area as well. The problem is rampant: the outcry loud and unceasing begging for relief.

The only way to satisfactorily address this problem and stop the unbridled abuse is to ban all helicopters from New York City airspace with the only exception being EMS helicopters and Police and Fire Department on specific assignments only.

We thank you for allowing us to submit testimony. But encourage you to consider extending the deadline for additional comments from the resident populace as most are not aware of this study; it is summer here and many, many concerned people are out of town on vacation or at their summer homes. If you would be willing to extend the deadline to at least September 21 it would be greatly appreciated. It is just plain wrong to undertake a serious study of this magnitude without the proper input initially and throughout the study by those affected and who are and have been intimately involved with the situation for several years.





San Francisco International Airport

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July 18, 2000

33

Federal Aviation Administration  
Office of Chief Counsel  
Attn: Rules Docket, Docket No. 30086  
800 Independence Avenue, SW  
Washington, D.C. 20591

Dear Chief Counsel:

I appreciate this opportunity to comment upon helicopter noise issues as solicited through Section 747 of the FAA Reauthorization Act of 2000. I am aware that helicopter noise can be quite annoying, especially to those citizens living or working in those communities surrounding airports such as ours. In conjunction with our Aircraft Noise Abatement Office, I share the following observations and mitigation suggestions.

Helicopters typically operate within the San Francisco Bay Area conducting the following functions:

- Military
- Private (personal)
- Law Enforcement
  - Police
  - VIP protection
  - Federal Agency
  - Rescue
- Corporate (business)
  - Transportation
  - Advertising
  - Sightseeing, photography
  - Traffic observation (freeways)
  - News
  - Medical transport
  - Flight Training

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The frequency at which these aircraft operate appear to be primarily dependent upon the cost/benefit to the operator and the weather. Operating helicopters is quite expensive due to high capital cost, frequent maintenance, crew payroll, fuel and facility expenses. Weather sometimes limits the operation of helicopters because of restricted visibility, low ceilings, precipitation and turbulence. While the overall number of flights by helicopters tends to be much less than by fixed wing aircraft, the annoyance level may often be greater. This appears to result from two factors - the low altitude at which helicopters often operate, and their ability to hover over a single position. To most, occasional overflights do not seem to be unexpected or annoying, especially when conducted at higher altitudes and for a short duration.

Thus, the relevance of reviewing ATC procedures in reducing helicopter noise effects seems limited to ATC's endorsement of low flights or those that hold over a certain area. Except, perhaps, in the immediate vicinity of a runway, ATC usually finds that restricting helicopters to low altitudes is attractive. Fixed wing aircraft can then be more easily separated above them. ATC may initiate holding instructions for helicopters, particularly in terminal areas, when workload is high or less than VFR weather conditions exist. Even at the busiest airports such as San Francisco, helicopters may operate within the Class B Airspace using "Special VFR" flight rules, while fixed wing aircraft cannot. This leads to flights as low as 100' AGL over highly populated areas.

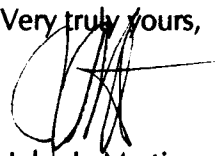
Even if higher altitudes are readily available, ATC is generally helpless in assigning use of these, as most of the helicopters are operating at VFR or SVFR altitudes that have no lower limit, because of Federal Aviation Regulation 91 ("FAR 91"). While fixed wing aircraft are restricted to an altitude of at least 1000' over obstacles within congested areas, helicopters are not. It is my recommendation that this exception be closely scrutinized. Noise levels would certainly be mitigated through the Federal requirement of higher altitudes, such as requiring the same 1000' minimum for helicopters and fixed wing aircraft alike. The impact of higher altitude requirements during VFR weather seems minimal, especially for corporate and private operators. A higher minimum altitude could also enhance safety if an emergency should arise.

The F.A.A., airport operators and municipalities are helpless in discouraging the unlimited hovering of helicopters over a single point. A local TV station helicopter occasionally hovers for several hours at a time over one neighborhood to provide frequent reports on the traffic conditions of nearby freeways. This provides a nice backdrop for the media, while the Airport Noise Office personnel must process countless resident complaints for which there is no resolution. I suggest that the F.A.A. consider limiting hovering (or circling) by helicopters over an area to a maximum duration, such as five minutes in any given hour. Law enforcement and military aircraft could be exempted, as those who obtain an advance waiver from the local F.A.A. Limitations should be even stricter for hovering operations during late night and early morning hours.

Both of these suggestions would probably have little impact upon those rotorcraft operators who consistently demonstrate consideration for the communities that they overfly. The positive impact upon the hundreds if not thousands of people beneath common helicopter routes and holding points would be significant. Unfortunately, the latitude currently afforded helicopter operators with regard to altitude selection and hovering operations is so great that abuse is not uncommon, which too frequently causes

a high degree of irritation amongst our neighbors. I encourage you to carefully review such recommendations and especially welcome improvements that may be made without a tremendous effect upon flight operations.

Very truly yours,

A handwritten signature in black ink, appearing to be 'J. L. Martin', with a long horizontal stroke extending to the right.

John L. Martin  
Airport Director

cc: Supervisor Mary Griffin,  
Airport/Community Roundtable Chairperson